

BILL ANALYSIS

Senate Research Center

S.B. 1546
By: Ogden
Criminal Justice
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As Filed

DIGEST

Currently, the Crime Stoppers Advisory Council (council) certifies, advises, and assists in the creation of crime stoppers organizations. Certified crime stoppers organizations may receive payments from defendants on community supervision and reward repayments. Local crime stopper programs may use up to 10 percent of this money for program administration, and must use the remainder as rewards for persons who provide information leading to the arrests of criminals. Problems have arisen because some crime stoppers organizations have accumulated a significant balance of unused reward money. At least 12 jurisdictions have leftover accounts in excess of \$30,000, and at least one has an account in excess of \$800,000. Current law does not address several potential concerns relating to these accounts. This legislation would require crime stoppers organizations to maintain separate reward accounts for funds received from probationers and those received from private donations, and would require that interest earned on funds received from probationers be used only to pay rewards. S.B. 1546 would also authorize the council to promulgate rules to limit the size of crime stoppers organizations' accounts funded by probationers and allow the use of excess funds to supplement the reward accounts of other organizations. Finally, this bill would clarify how funds held by a dissolved or decertified organization are to be handled.

PURPOSE

As proposed, S.B. 1546 establishes provisions regarding crime stoppers organizations and their reward funds.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Crime Stoppers Advisory Council in SECTION 6 (Section 414.010(b), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter Z, Subsection 351.901, Local Government Code, to define "crime stoppers organization."

SECTION 2. Amends Section 414.001(2), Government Code, to delete the definition of "local crime stoppers program" and add a definition for "crime stoppers organization".

SECTION 3. Amends Section 414.005, Government Code, to require the Crime Stoppers Advisory Council (council) to advise and assist in the creation of, encourage news and other media to promote, and assist crime stoppers organizations, rather than local crime stoppers programs.

SECTION 4. Amends Section 414.008, Government Code, to make conforming changes.

SECTION 5. Amends Section 414.009, Government Code, to make a conforming change.

SECTION 6. Amends Section 414.010, Government Code, as follows:

Sec. 414.010. New heading: PAYMENTS FROM DEFENDANTS ON COMMUNITY SUPERVISION AND REWARD REPAYMENTS. Prohibits a crime stoppers organization certified by the council to receive repayment of rewards under Articles 37.073 and 42.152,

rather than 37.072 and 42.151, Code of Criminal Procedure, from using more than a certain amount to pay costs incurred in administering the program, and must use the remainder of the money only for certain purposes. Requires organizations to establish a separate reward account for money received under this section, with interest earned used only to reward persons who report information concerning criminal activity. Requires an organization that receives or expends money to file a report by a certain date. Authorizes the council to promulgate rules limiting the size of organizations' reward accounts. Requires funds in excess of the established limits to be paid to the council for deposit into the crime stoppers assistance account in the General Revenue Fund. Authorizes the council to use funds from the account to supplement the reward accounts. Sets forth requirements for dissolved or decertified crime stoppers organizations.

SECTION 7. Amends Section 414.011, Government Code, as follows:

Sec. 414.011. New heading: CERTIFICATION OF ORGANIZATIONS TO RECEIVE PAYMENTS AND REWARD REPAYMENTS. Requires the council, on application by an organization, to determine whether the organization is qualified to receive repayments of rewards. Deletes the previous provisions regarding repayments to organizations. Makes conforming changes.

SECTION 8. Amends Section 414.012, Government Code, to make conforming changes.

SECTION 9. Amends Article 37.073, Code of Criminal Procedure, to make conforming changes.

SECTION 10. Amends Section 11, Article 42.12, Code of Criminal Procedure, to make a conforming change.

SECTION 11. Amends Article 42.152, Code of Criminal Procedure, to make conforming changes.

SECTION 11. Amends Article 102.013, Code of Criminal Procedure, to make conforming changes.

SECTION 12. Emergency clause.
Effective date: upon passage.