

BILL ANALYSIS

Senate Research Center

S.B. 908
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State Affairs
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As Filed

DIGEST

Currently, Article 47.01a, Code of Criminal Procedure, authorizes a court to award abandoned vehicles and water craft belonging to an undetermined owner to a governmental agency for official purposes. However, a title is required to accompany property which the city wishes to sell or dispose, which becomes difficult when the owner cannot be located. There are no statutory procedures by which the governmental agency can acquire title to such abandoned property. This bill would allow the government agency to receive title to abandoned vehicles and water craft, subsequent to fulfilling obligations to the last known owner of the property.

PURPOSE

As proposed, S.B. 908 requires a court to order a peace officer to deliver abandoned property, including certain water craft, subject to Chapter 501, Transportation Code, to a government agency, and authorizes the government agency to take title of property.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 47.01a(b), Code of Criminal Procedure, to set forth requirements for the delivery of property to a government agency. Authorizes the government agency to take title of certain property and water craft free and clear of all liens and claims of ownership, under certain conditions regarding notification of a hearing.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.