

DAMAGED PROPERTY REIMBURSEMENT

SERIES I, VOL. 1

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KEY FACTS

- ◆ HB 1190 took effect on June 19, 2015.
- ◆ HB 1190 is not anticipated to have any significant fiscal impact on the state.

HB 1190 (84R) expands eligibility for landowner reimbursement to those whose property was damaged by a federal law enforcement agency.

ISSUE BACKGROUND

Under current law, a law enforcement agency, or, in a county with a population of 150,000 or less, a county or district attorney, may, subject to the approval of the commissioners court, use funds recovered from the auctions of abandoned vehicles to compensate persons whose property is damaged as the result of a pursuit involving a law enforcement agency, defined to include state, county, and municipal law enforcement entities. This fund is

important to property owners as they typically have little chance of recovering the costs of damage to their property from any other source. The current statute does not, however, permit compensation for damages arising out of a pursuit involving a federal law enforcement agency. This is a significant limitation as, in border counties, many law enforcement pursuits involve US Customs and Border Protection (USCBP)—a federal agency.

DIGEST

House Bill 1190 expands the definition of "law enforcement" for the purposes of landowner reimbursement to include federal law enforcement agencies, such as USCBP. This expanded definition allows for counties and district attorneys to reimburse landowners whose property was damaged by USCBP.

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