

1-1 By: Plesa, et al. (Senate Sponsor - Hall) H.B. No. 2899
 1-2 (In the Senate - Received from the House April 24, 2023;
 1-3 April 24, 2023, read first time and referred to Committee on
 1-4 Criminal Justice; May 4, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
 1-6 May 4, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 2899 By: Flores

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the impoundment of a vehicle used in the commission of
 1-20 the offense of racing on a highway or in the commission of certain
 1-21 criminal conduct involving a reckless driving exhibition.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 42.03, Penal Code, is amended by adding
 1-24 Subsection (g) to read as follows:

1-25 (g) A peace officer shall require a vehicle used in the
 1-26 commission of an offense punishable under Subsection (d) or (e) to
 1-27 be taken to the nearest licensed storage facility unless the
 1-28 vehicle is seized as evidence, in which case the vehicle may be
 1-29 taken to a storage facility as designated by the peace officer
 1-30 involved. Notwithstanding Article 18.23, Code of Criminal
 1-31 Procedure, the owner of a vehicle that is removed or stored under
 1-32 this subsection is liable for all removal and storage fees incurred
 1-33 and is not entitled to take possession of the vehicle until those
 1-34 fees are paid.

1-35 SECTION 2. Section 545.420(i), Transportation Code, is
 1-36 amended to read as follows:

1-37 ~~(i) [This subsection applies only to a motor vehicle used in~~
 1-38 ~~the commission of an offense under this section that results in an~~
 1-39 ~~accident with property damage or personal injury.] A peace officer~~
 1-40 ~~shall require a [the] vehicle used in the commission of an offense~~
 1-41 ~~under Subsection (a) to be taken to the nearest licensed vehicle~~
 1-42 ~~storage facility unless the vehicle is seized as evidence, in which~~
 1-43 ~~case the vehicle may be taken to a storage facility as designated by~~
 1-44 ~~the peace officer involved. Notwithstanding Article 18.23, Code~~
 1-45 ~~of Criminal Procedure, the owner of a [motor] vehicle that is~~
 1-46 ~~removed or stored under this subsection is liable for all removal~~
 1-47 ~~and storage fees incurred and is not entitled to take possession of~~
 1-48 ~~the vehicle until those fees are paid.~~

1-49 SECTION 3. The changes in law made by this Act apply only to
 1-50 an offense committed on or after the effective date of this Act. An
 1-51 offense committed before the effective date of this Act is governed
 1-52 by the law in effect on the date the offense was committed, and the
 1-53 former law is continued in effect for that purpose. For purposes
 1-54 of this section, an offense was committed before the effective date
 1-55 of this Act if any element of the offense occurred before that date.

1-56 SECTION 4. This Act takes effect immediately if it receives
 1-57 a vote of two-thirds of all the members elected to each house, as
 1-58 provided by Section 39, Article III, Texas Constitution. If this
 1-59 Act does not receive the vote necessary for immediate effect, this
 1-60 Act takes effect September 1, 2023.

1-61 * * * * *