

By: Metcalf

H.B. No. 3690

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Crime Stoppers Council.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 414.004, Government Code, is amended to read as follows:

Sec. 414.004. DIRECTOR. The ~~[council and the]~~ executive director of the criminal justice division of the governor's office shall designate a person to serve as director. ~~[The director must be approved by the governor. The council shall define the director's authority and responsibilities.]~~

SECTION 2. Section 414.006, Government Code, is amended to read as follows:

Sec. 414.006. RULES. The council may adopt rules to carry out its functions under this chapter. The rules adopted by the council shall not conflict with rules ~~[relating to grants]~~ adopted by the criminal justice division of the governor's office. The council may not adopt a rule unless the executive director of the criminal justice division of the governor's office determines that the rule can be appropriately implemented.

SECTION 3. Section 414.008(a), Government Code, is amended to read as follows:

(a) Except as otherwise provided by this section, evidence of a communication between an anonymous [a] person submitting a report of a criminal act to the council or a crime stoppers

1 organization and the person who accepted the report on behalf of the
2 council or organization is not admissible in a court or an
3 administrative proceeding.

4 SECTION 4. Section 414.010, Government Code, is amended by
5 amending Subsections (a) and (d) and adding Subsection (a-1) to
6 read as follows:

7 (a) Except as provided by Subsection (d), a crime stoppers
8 organization certified by the council to receive money in the form
9 of payments from defendants placed on community supervision under
10 Chapter 42A, Code of Criminal Procedure, or money in the form of
11 repayments of rewards under Articles 37.073 and 42.152, Code of
12 Criminal Procedure, may use money received under this chapter in a
13 calendar year as follows:

14 (1) not more than 20 percent of the money may be used
15 [annually received] to pay costs incurred in administering the
16 organization during that same calendar year; and

17 (2) [shall use] the remainder of the money, including
18 any interest earned on the money, shall be used only to reward
19 persons who report information concerning criminal activity.

20 (a-1) Not later than January 31 of each year, a crime
21 stoppers organization that receives or expends money under this
22 section shall file a detailed report in the form and manner
23 prescribed by [with] the council.

24 (d) If the amount of funds received by a crime stoppers
25 organization during a calendar year under this section exceeds
26 [three times] the total amount of [funds that the organization uses
27 to pay] rewards paid during [a fiscal year based on the average

1 ~~amount of funds used to pay rewards during each of~~ the preceding
2 three calendar [~~fiscal~~] years, the organization may deposit the
3 excess amount of funds in a separate interest-bearing account to be
4 used by the organization for eligible [~~law enforcement~~] purposes as
5 defined by the council [~~relating to crime stoppers or juvenile~~
6 ~~justice, including intervention, apprehension, and adjudication~~].
7 An organization that deposits excess funds in an account as
8 provided by this subsection may use any interest earned on the funds
9 to pay costs incurred in administering the organization.

10 SECTION 5. Section 414.012, Government Code, is amended to
11 read as follows:

12 Sec. 414.012. STATEWIDE CRIME REPORTING SYSTEMS [~~TOLL-FREE~~
13 ~~TELEPHONE SERVICE~~]. The council shall establish a statewide [~~and~~
14 ~~operate a toll-free~~] telephone service and other appropriate
15 systems to allow information about criminal acts to be reported to
16 the council and shall make the telephone service and other
17 reporting systems accessible at all times to persons residing in
18 areas of the state not served by a crime stoppers organization [~~for~~
19 ~~reporting to the council information about criminal acts~~]. [~~The~~
20 ~~toll-free service must be available between the hours of 5 p.m. and~~
21 ~~8 a.m. Monday through Thursday and from 5 p.m. Friday until 8 a.m.~~
22 ~~Monday~~.] The council shall forward the information received to
23 appropriate law enforcement agencies or crime stoppers
24 organization.

25 SECTION 6. Article 102.013(a), Code of Criminal Procedure,
26 is amended to read as follows:

27 (a) The legislature shall appropriate funds from the crime

1 stoppers assistance account to the Criminal Justice Division of the
2 Governor's Office. The Criminal Justice Division may use 10
3 percent of the funds for the operation of the statewide [~~toll-free~~
4 telephone service or other appropriate systems for the reporting of
5 crime under Section 414.012, Government Code, and shall distribute
6 the remainder of the funds only to crime stoppers organizations.
7 The Criminal Justice Division may adopt a budget and rules to
8 implement the distribution of these funds.

9 SECTION 7. This Act takes effect September 1, 2017.