

- SUBJECT:** Allowing the state to seize vehicles involved in street racing
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 7 ayes — Moody, Cook, Bhojani, Bowers, Darby, Leach, C. Morales
2 nays — Harrison, Schatzline
- WITNESSES:** For — Jeff Hunter, Dallas Police Department, Texas Police Chiefs Association; John Carroll, Harris County Sheriffs Office; Francisco Gomez, Houston Police Department; (*Registered, but did not testify*: Anne O' Ryan, AAA Texas; Eric Carcerano, Chambers County District Attorney; Clifford Sparks, City of Dallas; TJ Patterson, City of Fort Worth; Jon Weist, City of Irving; Nadia Islam, City of San Antonio; M Paige Williams, Dallas Criminal District Attorney John Creuzot; James Parnell, Dallas Police Association; Joe Morris, Game Warden Peace Officers Association; Paul Sugg, Harris County Commissioners Court; Robin Foster, Harris County Deputies' Organization; Ray Hunt, Houston Police Officer's Union; Bill Kelly, Mayor's Office, City of Houston; James Smith, San Antonio Police Department; Carlos Ortiz, San Antonio Police Officers Association; Buddy Mills, Sheriffs Association of Texas; Monty Wynn, Texas Municipal League; Dallas Reed, Texas Municipal Police Association; Cynthia Van Maanen, Travis County Democratic Party)

Against — None
- DIGEST:** The bill would expand the list of offenses constituting organized criminal activity to include committing highway or passageway obstruction by engaging in a reckless driving exhibition. An individual who committed highway or passageway obstruction by engaging in reckless driving could be prosecuted for that offense or another applicable offense, but not both.

HB 1442 would expand the definition of contraband to include property used or intended to be used in the commission of obstructing a highway or another passageway by engaging in a reckless driving exhibition.

Expanding this definition would subject such property to seizure and forfeiture.

The bill would take effect September 1, 2023, and would apply only to an offense committed on or after that date.

**SUPPORTERS
SAY:**

HB 1442 would provide law enforcement the tools to address street racing and street takeovers in Texas. In recent years, street racing events have increased throughout communities in Texas, and police departments have struggled to adequately address this issue. Street racing events are dangerous and have resulted in fatalities, injury, and damage to property and roadways. Last session, the Legislature took an important step in addressing street takeovers by creating a specific offense for a reckless driving exhibition. However, the enforcement mechanism has been unclear, which has prevented law enforcement from seizing a vehicle involved in the offense. HB 1442 would remedy this issue by allowing for the seizure of vehicles involved in street racing and street takeovers, which could create a more appropriate deterrent for offenders.

**CRITICS
SAY:**

The asset forfeiture system should be reformed before adding other types of property subject to seizure.