



STATE OF TEXAS §

COUNTY OF COMAL §

RESOLUTION #2009-15

SUPPORTING LEGISLATION RELATING TO CRIMINAL OFFENSES APPLICABLE TO GAMBLING AND GAMBLING DEVICES, RELATING TO THE FORFEITURE OF PROPERTY RELATED TO CERTAIN GAMBLING OFFENSES, AND RELATING TO THE LICENSING AND REGULATION OF AMUSEMENT REDEMPTION MACHINES AT CERTAIN LOCATION; PROVIDING CRIMINAL PENALTIES

WHEREAS, Chapter 59 of the Code of Criminal Procedure regulates criminal asset forfeiture by the State;

WHEREAS, Illegal Gambling offenses under Chapter 47 of the Penal Code are crimes which are becoming rampant throughout the State of Texas;

WHEREAS, Attorneys representing the State cannot currently forfeit gambling paraphernalia, gambling places, gambling equipment, and other gambling devices under Chapter 59 of the Code of Criminal Procedure;

WHEREAS, Article 18.18 of the Code of Criminal Procedure allows for limited forfeiture of certain gambling devices, gambling paraphernalia, gambling equipment, and gambling proceeds following a final conviction of a person for possession of a gambling device or equipment, altered gambling equipment, or gambling paraphernalia, but does not include gambling places used in the commission of such gambling offenses under Chapter 47 of the Penal Code;

WHEREAS, the Comal County Commissioners Court supports legislation relating to the criminal offenses applicable to gambling and gambling devices;

WHEREAS, the Comal County Commissioners Court supports legislation relating to the forfeiture of property related to certain gambling offenses; and

WHEREAS, the Comal County Commissioners Court supports legislation relating to the licensing and regulation of amusement redemption machines at certain locations; providing criminal penalties.

NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County, Texas does hereby request that Senator Jeff Wentworth and Representative Doug Miller of the Texas Legislature introduce and/or support bills in the upcoming legislative session relating to the criminal offenses applicable to gambling and gambling devices; relating to the forfeiture of property related to certain gambling offenses; and relating to the licensing and regulation of amusement redemption machines at certain locations; providing criminal penalties.

PASSED AND APPROVED, this _____ day of _____, 2009.

Danny Scheel, County Judge

Donna Eccleston
Commissioner, Pct. #1

Jay Millikin
Commissioner, Pct. #2

Gregory Parker
Commissioner, Pct. #3

Jan Kennady
Commissioner, Pct. #4

ATTEST: _____
Hon. Joy Streater, County Clerk