

Hot check fund

Can I use hot check proceeds to...	Yes or no	Authority
Defray the salaries and expenses of the prosecutor's office?	Yes	JM-313
Pay for employee parking (as additional employee compensation)?	Yes	JM-313
Pay State Bar dues for assistants (as additional employee compensation)?	Yes	JM-313
Make an employee a notary public if the office needs one?	Yes	JM-313
Pay CLE costs if the program is substantially related to the office's "official business?"	Yes	JM-313
Pay college tuition on courses to train the employee for a different position or additional duties that are part of the office's official business?	Yes	JM-313
Reimburse for "official business" travel?	Yes	JM-313
Pay for a vacation retreat as part of a pre-established employment compensation contract?	Yes	JM-313
Pay to conduct a formal educational or training program at a retreat?	Yes	JM-313
Pay for computerized security devices?	Yes	JM-313
Pay for office furniture, carpet, office supplies, and equipment?	Yes	JM-313
Hire an investigator without commissioners court approval if the salary is paid entirely by the fund?	Yes	JM-738
Pay salary supplements without the commissioners court reducing an employee's salary to offset the hot check increase?	Yes	JM-313
Pay assistants' employment taxes on salary supplements?	Yes	JC-0397
Sponsor a children's book related to the attorney's official business?	Yes*	GA-045
Pay for coffee, doughnuts, lunches, or framed photographs for members of a grand jury?	No	JM-313
Pay for general college education?	No	JM-313
Supplement the salary of the elected prosecutor?	No	JM-313
Pay an automobile allowance?	No	JM-313 (unless the vehicle is necessary to the actual performance of an employee's "official duties").
Reimburse restitution to a merchant?	No	JC-0168
Pay a multi-year contract such as a car loan?	No	GA-053

* if no other law prohibits such expenditure.

Asset forfeiture fund

Can I use forfeiture proceeds...	Yes or no	Authority
To maintain, repair, use, and operate the property for official purposes?	Yes	CCP 59.06(b)
To pay for the prevention of drug abuse and persons with drug-related problems?	Yes, but...	See CCP 59.06(j) for a limitation of 10 percent for expenditures in a 59.06(c)(4) fund.
To pay bonuses or increase salaries in the prosecutor's office?	Yes, but...	JM-1253. The payment is contingent upon commissioners court approval. Bonuses are prohibited unless approved as part of compensation before services are rendered. Art. III, §3, Tex. Constitution.
To take title to a building to house the sheriff's anti-drug task force?	Yes	Letter Opinion 96-012
To purchase helicopters for counter-drug activities?	Yes	Letter Opinion 96-096
To pay salaries and overtime pay for officers?	Yes	CCP 59.06(c)(2)
To pay for officer training?	Yes	CCP 59.06(c)(2)
To pay for specialized investigative equipment and supplies?	Yes	CCP 59.06(c)(2)
To purchase items used by officers in direct law enforcement duties?	Yes	CCP 59.06(c)(2)
To lease forfeited property itself?	Yes	GA-0122
To help the commissioners court purchase or lease a juvenile detention facility?	No	GA-0613
From the sale of tangible property whose value is increased by the notoriety gained from the conviction of an offense?	No	CCP 56.09(k)(2). The increase in value from the notoriety must be sent to the Attorney General, and the remainder of the proceeds that represent the item's fair market value should be transferred to the property's owner. GA-0298.
From movies, books, magazine articles, tape recordings, radio, or television presentations, Internet websites, etc., in which a crime is reenacted?	No	CCP 56.09(k)(1). These proceeds must be sent to the Attorney General.
If forced by my city council to purchase vehicles?	No	JC-0005; see also DM-72