

By: Anderson, Murr

H.B. No. 3603

A BILL TO BE ENTITLED

AN ACT

relating to the payment of restitution by a person released on parole or to mandatory supervision.

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

SECTION 1. Section 508.322, Government Code, is amended by amending Subsections (c), (d), (e), and (f) and adding Subsections (c-1) and (c-2) to read as follows:

(c) When a parole panel orders the payment of restitution from a releasee as provided by Article 42.037(h), Code of Criminal Procedure, the department shall:

(1) collect the payment for disbursement to the victim;

(2) deposit the payment in the releasee restitution fund; and

(3) transmit the payment to the clerk of the court that entered the order of restitution [to the victim] as soon as practicable for the clerk to remit the payment to the victim.

(c-1) The department shall include the releasee's name and other relevant identifying information, the cause number, and the payment amount when transmitting a payment to the clerk of the court under Subsection (c)(3).

(c-2) On receipt of a payment transmitted to the clerk of the court under Subsection (c)(3), the clerk shall process and account for the payment in the same manner as if the payment had

1 been made directly to the clerk.

2 (d) If a victim who is entitled to restitution cannot be  
3 located, immediately after receiving a final payment in  
4 satisfaction of an order of restitution for the victim, the clerk of  
5 the court [~~department~~] shall attempt to notify the victim of that  
6 fact by certified mail, mailed to the last known address of the  
7 victim. If a victim then makes a claim for payment, the clerk of  
8 the court [~~department~~] promptly shall remit the payment to the  
9 victim.

10 (e) If a victim who is entitled to restitution does not make  
11 a claim for payment before the fifth anniversary of the date the  
12 clerk of the court [~~department~~] receives the initial restitution  
13 payment or if, after the victim makes a claim for payment, the clerk  
14 [~~department~~] is unable to locate the victim for a period of five  
15 years after the date the clerk [~~department~~] last made a payment to  
16 the victim, any unclaimed restitution payments being held by the  
17 clerk [~~department~~] for payment to the victim are presumed  
18 abandoned. The clerk of the court [~~department~~] shall report and  
19 deliver to the comptroller all unclaimed restitution payments  
20 presumed abandoned under this section in the manner provided by  
21 Chapter 77, Property Code.

22 (f) If on March 1 a clerk of the court [~~department~~] is not  
23 holding unclaimed restitution payments that are presumed abandoned  
24 under this section, the clerk [~~department~~] shall file a property  
25 report under Section 77.051, Property Code, that certifies that the  
26 clerk [~~department~~] is not holding any unclaimed restitution  
27 payments that are presumed abandoned under this section.

1 SECTION 2. This Act takes effect December 1, 2023.