

1-1 By: Anderson, Murr (Senate Sponsor - Whitmire) H.B. No. 3603  
1-2 (In the Senate - Received from the House May 12, 2023;  
1-3 May 15, 2023, read first time and referred to Committee on Criminal  
1-4 Justice; May 19, 2023, reported favorably by the following vote:  
1-5 Yeas 7, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Flores	X		
1-10	Bettencourt	X		
1-11	Hinojosa	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the payment of restitution by a person released on  
1-18 parole or to mandatory supervision.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 508.322, Government Code, is amended by  
1-21 amending Subsections (c), (d), (e), and (f) and adding Subsections  
1-22 (c-1) and (c-2) to read as follows:

1-23 (c) When a parole panel orders the payment of restitution  
1-24 from a releasee as provided by Article 42.037(h), Code of Criminal  
1-25 Procedure, the department shall:

1-26 (1) collect the payment for disbursement to the  
1-27 victim;

1-28 (2) deposit the payment in the releasee restitution  
1-29 fund; and

1-30 (3) transmit the payment to the clerk of the court that  
1-31 entered the order of restitution ~~[to the victim]~~ as soon as  
1-32 practicable for the clerk to remit the payment to the victim.

1-33 (c-1) The department shall include the releasee's name and  
1-34 other relevant identifying information, the cause number, and the  
1-35 payment amount when transmitting a payment to the clerk of the court  
1-36 under Subsection (c)(3).

1-37 (c-2) On receipt of a payment transmitted to the clerk of  
1-38 the court under Subsection (c)(3), the clerk shall process and  
1-39 account for the payment in the same manner as if the payment had  
1-40 been made directly to the clerk.

1-41 (d) If a victim who is entitled to restitution cannot be  
1-42 located, immediately after receiving a final payment in  
1-43 satisfaction of an order of restitution for the victim, the clerk of  
1-44 the court ~~[department]~~ shall attempt to notify the victim of that  
1-45 fact by certified mail, mailed to the last known address of the  
1-46 victim. If a victim then makes a claim for payment, the clerk of  
1-47 the court ~~[department]~~ promptly shall remit the payment to the  
1-48 victim.

1-49 (e) If a victim who is entitled to restitution does not make  
1-50 a claim for payment before the fifth anniversary of the date the  
1-51 clerk of the court ~~[department]~~ receives the initial restitution  
1-52 payment or if, after the victim makes a claim for payment, the clerk  
1-53 [department] is unable to locate the victim for a period of five  
1-54 years after the date the clerk ~~[department]~~ last made a payment to  
1-55 the victim, any unclaimed restitution payments being held by the  
1-56 clerk ~~[department]~~ for payment to the victim are presumed  
1-57 abandoned. The clerk of the court ~~[department]~~ shall report and  
1-58 deliver to the comptroller all unclaimed restitution payments  
1-59 presumed abandoned under this section in the manner provided by  
1-60 Chapter 77, Property Code.

1-61 (f) If on March 1 a clerk of the court ~~[department]~~ is not

2-1 holding unclaimed restitution payments that are presumed abandoned  
2-2 under this section, the clerk [~~department~~] shall file a property  
2-3 report under Section [77.051](#), Property Code, that certifies that the  
2-4 clerk [~~department~~] is not holding any unclaimed restitution  
2-5 payments that are presumed abandoned under this section.

2-6 SECTION 2. This Act takes effect December 1, 2023.

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