

By: Thompson of Harris

H.B. No. 3786

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the enforcement of the rights of crime victims.

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

4 SECTION 1. Article 56A.051, Code of Criminal Procedure, is  
5 amended by adding Subsections (d), (e), (f), and (g) to read as  
6 follows:

7 (d) A victim, guardian of a victim, or close relative of a  
8 deceased victim may assert and seek enforcement of any right  
9 granted by this subchapter, either orally or in writing.

10 (e) The attorney representing the state or an attorney  
11 representing a victim, guardian of a victim, or close relative of a  
12 deceased victim may assert a right granted by this subchapter to the  
13 victim, guardian, or relative, or request enforcement of the right,  
14 by filing a motion, petition for a writ of mandamus, or action for  
15 injunctive or declaratory relief in a trial or appellate court with  
16 jurisdiction over the case.

17 (f) If the court determines, after a hearing at which all  
18 parties have an opportunity to testify, that a right of a victim,  
19 guardian of a victim, or close relative of a deceased victim has  
20 been violated, the court shall order that the victim, guardian, or  
21 relative be provided the right to which the victim, guardian, or  
22 relative was entitled.

23 (g) A remedy ordered under Subsection (f) may not change  
24 the:

- 1           (1) verdict;
- 2           (2) sentence imposed;
- 3           (3) terms of an accepted plea bargain agreement; or
- 4           (4) outcome of a parole hearing.

5           SECTION 2. This Act takes effect September 1, 2023.