

By: Thompson of Harris

H.B. No. 3786

Substitute the following for H.B. No. 3786:

By: Moody

C.S.H.B. No. 3786

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of the rights of crime victims.

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

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

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

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

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

(g) A remedy ordered under Subsection (f) may not change 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.