

By: Parker

S.B. No. 1391

A BILL TO BE ENTITLED

AN ACT

relating to restitution payments made to certain victims of theft.

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

SECTION 1. Article 42.037, Code of Criminal Procedure, is amended by adding Subsection (d-1) to read as follows:

(d-1) Notwithstanding any other law, if the court orders restitution under this article to be made to a victim of an offense under Section 31.03, Penal Code, and the court determines that the defendant committed the offense solely as a victim of an offense under Section 20A.02 or 20A.03, Penal Code, the court shall order the restitution to be paid from the compensation to victims of crime fund established under Subchapter J, Chapter 56B. The court may not order the defendant to make restitution to the victim or to reimburse the compensation to victims of crime fund for any amount paid under this subsection.

SECTION 2. Article 56B.453, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) The attorney general shall use the fund to pay court-ordered restitution as required by Article 42.037(d-1) to a victim of an offense under Section 31.03, Penal Code, if the defendant committed the offense solely as a victim of an offense under Section 20A.02 or 20A.03, Penal Code.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this

1 Act. An offense committed before the effective date of this Act is  
2 governed by the law in effect on the date the offense was committed,  
3 and the former law is continued in effect for that purpose. For  
4 purposes of this section, an offense was committed before the  
5 effective date of this Act if any element of the offense occurred  
6 before that date.

7 SECTION 4. This Act takes effect September 1, 2023.