

By: Raymond

H.B. No. 439

A BILL TO BE ENTITLED

AN ACT

relating to the use of the compensation to victims of crime fund to pay for expert witnesses in criminal cases based on child abuse or the death of a child.

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

SECTION 1. Article 56.54(b), Code of Criminal Procedure, is amended to read as follows:

(b) Except as provided by Subsections (h), (i), (j), ~~[and]~~ (k), and (l) and Article 56.541, the compensation to victims of crime fund may be used only by the attorney general for the payment of compensation to claimants or victims under this subchapter, the operation of the Crime Victims' Institute created by Chapter 412, Government Code, and other expenses in administering this subchapter.

SECTION 2. Article 56.54, Code of Criminal Procedure, is amended by adding Subsection (l) to read as follows:

(l) The attorney general may use the compensation to victims of crime fund to pay an expert witness fee incurred in the investigation or prosecution of a criminal case based on physical or sexual abuse of a child or the death of a child. The attorney general must pay the fee directly from the fund to the expert witness. The attorney general may not pay more than \$5,000 from the fund for an expert witness fee.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.