

By: Farrar, et al.

H.B. No. 478

Substitute the following for H.B. No. 478:

By: Keel

C.S.H.B. No. 478

A BILL TO BE ENTITLED

AN ACT

relating to including certain victims of arson as victims who are eligible to receive crime victims' compensation.

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

SECTION 1. Article 56.32(a)(11), Code of Criminal Procedure, is amended to read as follows:

(11) "Victim" means~~[, except as provided by Subsection (c)]~~:

(A) an individual who:

(i) suffers personal injury or death as a result of criminally injurious conduct or as a result of actions taken by the individual as an intervenor, if the conduct or actions occurred in this state; and

(ii) is a resident of this state, another state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a possession or territory of the United States;

(B) an individual who:

(i) suffers personal injury or death as a result of criminally injurious conduct or as a result of actions taken by the individual as an intervenor, if the conduct or actions occurred in a state or country that does not have a crime victims' compensation program that meets the requirements of Section 1403(b), Crime Victims Compensation Act of 1984 (42 U.S.C. Section

1 10602(b));

2 (ii) is a resident of this state; and

3 (iii) would be entitled to compensation
4 under this subchapter if the criminally injurious conduct or
5 actions had occurred in this state; ~~[or]~~

6 (C) an individual who:

7 (i) suffers personal injury or death as a
8 result of criminally injurious conduct caused by an act of
9 international terrorism as defined by 18 U.S.C. Section 2331
10 committed outside of the United States; and

11 (ii) is a resident of this state; or

12 (D) an individual who:

13 (i) suffers loss of the individual's place
14 of residence as a result of the commission of the offense of arson
15 by another person; and

16 (ii) is a resident of this state.

17 SECTION 2. Article 56.42(d), Code of Criminal Procedure, is
18 amended to read as follows:

19 (d) A victim who is a victim of family violence or a victim
20 of sexual assault who is assaulted in the victim's place of
21 residence or a victim of arson whose place of residence is destroyed
22 or damaged by the arson may receive a onetime-only assistance
23 payment in an amount not to exceed:

24 (1) \$2,000 to be used for relocation expenses,
25 including expenses for rental deposit, utility connections,
26 expenses relating to the moving of belongings, motor vehicle
27 mileage expenses, and for out-of-state moves, transportation,

1 lodging, and meals; and

2 (2) \$1,800 to be used for housing rental expenses.

3 SECTION 3. (a) This Act takes effect September 1, 2003.

4 (b) The change in law made by this Act applies only to the
5 victim of a criminal offense committed on or after the effective
6 date of this Act. For purposes of this Act, a criminal offense is
7 committed before the effective date of this Act if any element of
8 the offense occurs before that date. The victim of a criminal
9 offense committed before the effective date of this Act is covered
10 by the law in effect when the criminal offense was committed, and
11 the former law is continued in effect for that purpose.