

By: Farrar

H.B. No. 478

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

9 (A) an individual who:

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

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

18 (B) an individual who:

19 (i) suffers personal injury or death as a
20 result of criminally injurious conduct or as a result of actions
21 taken by the individual as an intervenor, if the conduct or actions
22 occurred in a state or country that does not have a crime victims'
23 compensation program that meets the requirements of Section
24 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. (a) This Act takes effect September 1, 2003.

18 (b) The change in law made by this Act applies only to the
19 victim of a criminal offense committed on or after the effective
20 date of this Act. For purposes of this Act, a criminal offense is
21 committed before the effective date of this Act if any element of
22 the offense occurs before that date. The victim of a criminal
23 offense committed before the effective date of this Act is covered
24 by the law in effect when the criminal offense was committed, and
25 the former law is continued in effect for that purpose.