

By: Deshotel

H.B. No. 1361

A BILL TO BE ENTITLED

AN ACT

relating to the use of the compensation to victims of crime fund to reimburse the reasonable costs of certain victims' medical examinations.

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

SECTION 1. Article 56.06(a), Code of Criminal Procedure, is amended to read as follows:

(a) If a [A] law enforcement agency [that] requests a medical examination of a victim of an alleged sexual assault for use in the investigation or prosecution of the offense, the person performing the examination ~~[shall pay all costs of the examination. On application to the attorney general, the law enforcement agency]~~ is entitled to be reimbursed for the reasonable costs of that examination on application to the attorney general if the person is ~~[examination was performed by]~~ a physician or ~~[by]~~ a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code. The person is entitled to reimbursement under this subsection without regard to whether the person is affiliated with a hospital.

SECTION 2. Article 56.54(k), Code of Criminal Procedure, is amended to read as follows:

(k) The attorney general may use the compensation to victims of crime fund to provide reasonable compensation to ~~[reimburse]~~ a provider ~~[law enforcement agency]~~ for performing ~~[the reasonable~~

1 ~~costs of~~ a medical examination [~~that are incurred by the agency~~]
2 under Article 56.06.

3 SECTION 3. Article 56.06(c), Code of Criminal Procedure, is
4 repealed.

5 SECTION 4. This Act takes effect September 1, 2003, and
6 applies only to the compensation of a physician, sexual assault
7 examiner, or sexual assault nurse examiner for an examination
8 requested on or after September 1, 2003, under Article 56.06, Code
9 of Criminal Procedure, as amended by this Act. An examination
10 requested before September 1, 2003, is covered by the law in effect
11 when the request is made, and the former law is continued in effect
12 for that purpose.