

1 AN ACT

2 relating to the prosecution of the offense of insurance fraud;
3 providing a penalty.

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

5 SECTION 1. Section 35.02, Penal Code, is amended by adding
6 Subsection (e) to read as follows:

7 (e) The court shall order a defendant convicted of an
8 offense under this section to pay restitution, including court
9 costs and attorney's fees, to an affected insurer.

10 SECTION 2. (a) This Act takes effect September 1, 2003.

11 (b) The change in law made by this Act applies only to an
12 offense committed on or after September 1, 2003. An offense
13 committed before September 1, 2003, is covered by the law in effect
14 when the offense was committed, and the former law is continued in
15 effect for that purpose. For the purposes of this subsection, an
16 offense was committed before September 1, 2003, if any element of
17 the offense was committed before that date.

H.B. No. 1838

President of the Senate

Speaker of the House

I certify that H.B. No. 1838 was passed by the House on May 6, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1838 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor