

1-1 By: Thompson (Senate Sponsor - Averitt) H.B. No. 1838
1-2 (In the Senate - Received from the House May 7, 2003;
1-3 May 9, 2003, read first time and referred to Committee on Criminal
1-4 Justice; May 23, 2003, reported favorably by the following vote:
1-5 Yeas 4, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the prosecution of the offense of insurance fraud;
1-9 providing a penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 35.02, Penal Code, is amended by adding
1-12 Subsection (e) to read as follows:

1-13 (e) The court shall order a defendant convicted of an
1-14 offense under this section to pay restitution, including court
1-15 costs and attorney's fees, to an affected insurer.

1-16 SECTION 2. (a) This Act takes effect September 1, 2003.

1-17 (b) The change in law made by this Act applies only to an
1-18 offense committed on or after September 1, 2003. An offense
1-19 committed before September 1, 2003, is covered by the law in effect
1-20 when the offense was committed, and the former law is continued in
1-21 effect for that purpose. For the purposes of this subsection, an
1-22 offense was committed before September 1, 2003, if any element of
1-23 the offense was committed before that date.

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