

By: McReynolds

H.B. No. 2916

A BILL TO BE ENTITLED

AN ACT

relating to allowing certain claimants to file an application under the Crime Victims' Compensation Act.

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

SECTION 1. Article 56.37, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) For a claim that is based on criminally injurious conduct in violation of Chapter 19, Penal Code, the claimant must file an application not later than three years after the date the identity of the victim is established by a law enforcement agency.

SECTION 2. Article 56.61, Code of Criminal Procedure, is amended to read as follows:

Art. 56.61. COMPENSATION FOR CERTAIN CRIMINALLY INJURIOUS CONDUCT PROHIBITED; EXCEPTION. (a) Except as provided by Subsection (b), the [The] attorney general may not award compensation for pecuniary [economic] loss arising from criminally injurious conduct that occurred before January 1, 1980.

(b) The attorney general may award compensation for pecuniary loss arising from criminally injurious conduct that occurred before January 1, 1980, if:

(1) the conduct was in violation of Chapter 19, Penal Code;

(2) the identity of the victim is established by a law enforcement agency on or after January 1, 2009, and the pecuniary

1 loss was incurred with respect to the victim's funeral or burial on
2 or after that date; and

3 (3) the claimant files the application for
4 compensation within the limitations period provided by Article
5 56.37(e).

6 SECTION 3. The change in law made by this Act applies only
7 to criminally injurious conduct committed against a victim whose
8 identity is established by a law enforcement agency on or after
9 January 1, 2009. Criminally injurious conduct committed against a
10 victim whose identity is established by a law enforcement agency
11 before January 1, 2009, is covered by the law in effect on the date
12 the victim's identity was established, and the former law is
13 continued in effect for that purpose.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2009.