

1-1 By: McReynolds (Senate Sponsor - Whitmire) H.B. No. 2916  
1-2 (In the Senate - Received from the House April 29, 2009;  
1-3 May 4, 2009, read first time and referred to Committee on Criminal  
1-4 Justice; May 22, 2009, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 22, 2009, sent to printer.)

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

1-8 relating to allowing certain claimants to file an application under  
1-9 the Crime Victims' Compensation Act.

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

1-11 SECTION 1. Article 56.37, Code of Criminal Procedure, is  
1-12 amended by adding Subsection (e) to read as follows:

1-13 (e) For a claim that is based on criminally injurious  
1-14 conduct in violation of Chapter 19, Penal Code, the claimant must  
1-15 file an application not later than three years after the date the  
1-16 identity of the victim is established by a law enforcement agency.

1-17 SECTION 2. Article 56.61, Code of Criminal Procedure, is  
1-18 amended to read as follows:

1-19 Art. 56.61. COMPENSATION FOR CERTAIN CRIMINALLY INJURIOUS  
1-20 CONDUCT PROHIBITED; EXCEPTION. (a) Except as provided by  
1-21 Subsection (b), the [The] attorney general may not award  
1-22 compensation for pecuniary [~~economic~~] loss arising from criminally  
1-23 injurious conduct that occurred before January 1, 1980.

1-24 (b) The attorney general may award compensation for  
1-25 pecuniary loss arising from criminally injurious conduct that  
1-26 occurred before January 1, 1980, if:

1-27 (1) the conduct was in violation of Chapter 19, Penal  
1-28 Code;

1-29 (2) the identity of the victim is established by a law  
1-30 enforcement agency on or after January 1, 2009, and the pecuniary  
1-31 loss was incurred with respect to the victim's funeral or burial on  
1-32 or after that date; and

1-33 (3) the claimant files the application for  
1-34 compensation within the limitations period provided by Article  
1-35 56.37(e).

1-36 SECTION 3. The change in law made by this Act applies only  
1-37 to criminally injurious conduct committed against a victim whose  
1-38 identity is established by a law enforcement agency on or after  
1-39 January 1, 2009. Criminally injurious conduct committed against a  
1-40 victim whose identity is established by a law enforcement agency  
1-41 before January 1, 2009, is covered by the law in effect on the date  
1-42 the victim's identity was established, and the former law is  
1-43 continued in effect for that purpose.

1-44 SECTION 4. This Act takes effect immediately if it receives  
1-45 a vote of two-thirds of all the members elected to each house, as  
1-46 provided by Section 39, Article III, Texas Constitution. If this  
1-47 Act does not receive the vote necessary for immediate effect, this  
1-48 Act takes effect September 1, 2009.

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