

By: Vaught

H.B. No. 2933

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain criminal defendants to make payments to the compensation to victims of crime fund.

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

SECTION 1. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0379 to read as follows:

Art. 42.0379. MANDATORY PAYMENTS FOR COMPENSATION TO VICTIMS OF CRIME FUND. (a) In this article, "inmate account" means an account created for an inmate under Section 501.014(a), Government Code.

(b) In addition to any other fine, cost, or restitution ordered by the court, a court that imposes on a defendant a sentence that renders the defendant ineligible for release on parole under Section 508.145, Government Code, shall order the defendant to make an annual payment, for the duration of the defendant's incarceration, to the compensation to victims of crime fund established under Subchapter B, Chapter 56, in an amount that is equal to or less than one percent of the amount in the defendant's inmate account on each anniversary of the date the inmate is admitted to the custody of the Texas Department of Criminal Justice.

SECTION 2. Section 501.014(f), Government Code, is amended to read as follows:

(f) The department may place a hold on money in or withdraw

1 money from an inmate account:

2 (1) to restore amounts withdrawn by the inmate against
3 uncollected money;

4 (2) to correct accounting errors;

5 (3) to make restitution for wrongful withdrawals made
6 by an inmate from the account of another inmate;

7 (4) to cover deposits until cleared;

8 (5) as directed by court order in accordance with
9 Subsection (e), including a court order described by Article
10 42.0379, Code of Criminal Procedure;

11 (6) as part of an investigation by the department of
12 inmate conduct involving the use of the account or an investigation
13 in which activity or money in the inmate's account is evidence;

14 (7) to transfer money deposited in violation of law or
15 department policy; or

16 (8) to recover money the inmate owes the department
17 for indigent supplies, medical copayments, destruction of state
18 property, or other indebtedness.

19 SECTION 3. The change in law made by this Act applies only
20 to an offense committed on or after the effective date of this Act.
21 An offense committed before the effective date of this Act is
22 covered by the law in effect when the offense was committed, and the
23 former law is continued in effect for that purpose. For purposes of
24 this section, an offense was committed before the effective date of
25 this Act if any element of the offense occurred before that date.

26 SECTION 4. This Act takes effect September 1, 2009.