

By: Whitmire

S.B. No. 808

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 September 1, 2009; and

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

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

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