

1-1 By: Whitmire S.B. No. 808
1-2 (In the Senate - Filed February 11, 2009; March 4, 2009,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 26, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 26, 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 September 1, 2009; and

1-31 (3) the claimant files the application for
1-32 compensation within the limitations period provided by Article
1-33 56.37(e).

1-34 SECTION 3. The change in law made by this Act applies only
1-35 to criminally injurious conduct committed against a victim whose
1-36 identity is established by a law enforcement agency on or after the
1-37 effective date of this Act. Criminally injurious conduct committed
1-38 against a victim whose identity is established by a law enforcement
1-39 agency before the effective date of this Act is covered by the law
1-40 in effect on the date the victim's identity was established, and the
1-41 former law is continued in effect for that purpose.

1-42 SECTION 4. This Act takes effect September 1, 2009.

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