

By: Alvarado

H.B. No. 2303

A BILL TO BE ENTITLED

1 AN ACT
2 relating to compensation under the Crime Victims' Compensation Act
3 for parents and guardians of certain deceased crime victims.

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

5 SECTION 1. Article 56.32(a)(9), Code of Criminal Procedure,
6 is amended to read as follows:

7 (9) "Pecuniary loss" means the amount of expense
8 reasonably and necessarily incurred as a result of personal injury
9 or death for:

10 (A) medical, hospital, nursing, or psychiatric
11 care or counseling, or physical therapy;

12 (B) actual loss of past earnings and anticipated
13 loss of future earnings and necessary travel expenses because of:

14 (i) a disability resulting from the
15 personal injury;

16 (ii) the receipt of medically indicated
17 services related to the disability resulting from the personal
18 injury; or

19 (iii) participation in or attendance at
20 investigative, prosecutorial, or judicial processes related to the
21 criminally injurious conduct and participation in or attendance at
22 any postconviction or postadjudication proceeding relating to
23 criminally injurious conduct;

24 (C) care of a child or dependent;

1 (D) funeral and burial expenses, including, for
2 an immediate family member or household member of the victim, the
3 necessary expenses of traveling to and attending the funeral;

4 (E) loss of support to a dependent, consistent
5 with Article 56.41(b)(5);

6 (F) reasonable and necessary costs of cleaning
7 the crime scene;

8 (G) reasonable replacement costs for clothing,
9 bedding, or property of the victim seized as evidence or rendered
10 unusable as a result of the criminal investigation;

11 (H) reasonable and necessary costs, as provided
12 by Article 56.42(d) or (d-1), of relocation and housing rental
13 assistance for:

14 (i) [incurred by] a victim of family
15 violence or a victim of sexual assault who is assaulted in the
16 victim's place of residence; or

17 (ii) a parent or guardian of a deceased
18 victim 18 months of age or younger [~~for relocation and housing~~
19 ~~rental assistance payments~~];

20 (I) for an immediate family member or household
21 member of a deceased victim, bereavement leave of not more than 10
22 work days; and

23 (J) reasonable and necessary costs of traveling
24 to and from a place of execution for the purpose of witnessing the
25 execution, including one night's lodging near the place at which
26 the execution is conducted.

27 SECTION 2. Article 56.42, Code of Criminal Procedure, is

1 amended by adding Subsection (d-1) to read as follows:

2 (d-1) A parent or guardian of a deceased victim 18 months of
3 age or younger who suffered death as a result of criminally
4 injurious conduct that also resulted in damage to or loss of real or
5 personal property may receive a onetime-only assistance payment in
6 an amount not to exceed:

7 (1) \$2,000 to be used for relocation expenses
8 described by Subsection (d)(1); and

9 (2) \$1,800 to be used for housing rental expenses.

10 SECTION 3. The change in law made by this Act applies only
11 to a victim of a criminal offense committed or a violation that
12 occurs on or after the effective date of this Act. A criminal
13 offense committed or a violation that occurs before the effective
14 date of this Act is governed by the law in effect on the date the
15 offense was committed or the violation occurred, and the former law
16 is continued in effect for that purpose. For purposes of this
17 section, a criminal offense was committed or a violation occurred
18 before the effective date of this Act if any element of the offense
19 or violation occurred before that date.

20 SECTION 4. This Act takes effect September 1, 2011.