

1-1 By: Whitmire S.B. No. 1713
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 May 12, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 12, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1713 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to compensation under the Crime Victims' Compensation Act
1-11 for forensic medical examinations performed with respect to victims
1-12 of family violence.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subdivision (9), Subsection (a), Article 56.32,
1-15 Code of Criminal Procedure, is amended to read as follows:

1-16 (9) "Pecuniary loss" means the amount of expense
1-17 reasonably and necessarily incurred as a result of personal injury
1-18 or death for:

1-19 (A) medical, hospital, nursing, or psychiatric
1-20 care or counseling, or physical therapy;

1-21 (B) actual loss of past earnings and anticipated
1-22 loss of future earnings and necessary travel expenses because of:

1-23 (i) a disability resulting from the
1-24 personal injury;

1-25 (ii) the receipt of medically indicated
1-26 services related to the disability resulting from the personal
1-27 injury; or

1-28 (iii) participation in or attendance at
1-29 investigative, prosecutorial, or judicial processes related to the
1-30 criminally injurious conduct and participation in or attendance at
1-31 any postconviction or postadjudication proceeding relating to
1-32 criminally injurious conduct;

1-33 (C) care of a child or dependent;

1-34 (D) funeral and burial expenses, including, for
1-35 an immediate family member or household member of the victim, the
1-36 necessary expenses of traveling to and attending the funeral;

1-37 (E) loss of support to a dependent, consistent
1-38 with Article 56.41(b)(5);

1-39 (F) reasonable and necessary costs of cleaning
1-40 the crime scene;

1-41 (G) reasonable replacement costs for clothing,
1-42 bedding, or property of the victim seized as evidence or rendered
1-43 unusable as a result of the criminal investigation;

1-44 (H) reasonable and necessary costs, as provided
1-45 by Article 56.42(d), incurred by a victim of family violence or a
1-46 victim of sexual assault who is assaulted in the victim's place of
1-47 residence for relocation and housing rental assistance payments;

1-48 (I) for an immediate family member or household
1-49 member of a deceased victim, bereavement leave of not more than 10
1-50 work days; ~~and~~

1-51 (J) reasonable and necessary costs of traveling
1-52 to and from a place of execution for the purpose of witnessing the
1-53 execution, including one night's lodging near the place at which
1-54 the execution is conducted; and

1-55 (K) a forensic medical examination performed
1-56 with respect to a victim of family violence.

1-57 SECTION 2. The change in law made by this Act applies only
1-58 to a victim of a criminal offense committed or a violation that
1-59 occurs on or after the effective date of this Act. A criminal
1-60 offense committed or a violation that occurs before the effective
1-61 date of this Act is governed by the law in effect on the date the
1-62 offense was committed or the violation occurred, and the former law
1-63 is continued in effect for that purpose. For purposes of this

2-1 section, a criminal offense was committed or a violation occurred
2-2 before the effective date of this Act if any element of the offense
2-3 or violation occurred before that date.

2-4 SECTION 3. This Act takes effect September 1, 2011.

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