

By: West, Ellis

S.B. No. 110

A BILL TO BE ENTITLED

1 AN ACT
2 relating to eligibility for compensation of persons wrongfully
3 imprisoned.

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

5 SECTION 1. Section 103.001, Civil Practice and Remedies
6 Code, is amended by adding Subsection (f) to read as follows:

7 (f) A person is not entitled to compensation under
8 Subsection (a) or group health benefit plan coverage under
9 Subsection (d) for any part of a sentence in prison during which the
10 person was also serving a concurrent sentence for another wrongful
11 conviction for which the person has already received compensation
12 under Subsection (a) or group health plan coverage under Subsection
13 (d).

14 SECTION 2. Section 103.003, Civil Practice and Remedies
15 Code, is amended to read as follows:

16 Sec. 103.003. LIMITATION ON TIME TO FILE. (a) A person
17 seeking compensation under this chapter must file an application
18 with the comptroller for compensation under Subchapter B not later
19 than the third anniversary of the date:

20 (1) the person on whose imprisonment the claim is
21 based received a pardon as provided by Section 103.001(a)(2)(A);

22 (2) the person's application for a writ of habeas
23 corpus was granted as provided by Section 103.001(a)(2)(B); or

24 (3) an order of dismissal described by Section

1 103.001(a)(2)(C) was signed.

2 (b) Notwithstanding Subsection (a), a person seeking
3 compensation under this chapter who received the pardon or was
4 granted relief as described by Subsection (a) before September 1,
5 1998, may file an application with the comptroller for compensation
6 under Subchapter B not later than September 1, 2016. This
7 subsection expires September 2, 2016.

8 SECTION 3. This Act takes effect September 1, 2013.