

By: Nelson

S.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to compensation under the Crime Victims' Compensation Act for loss of support to a dependent who is a victim.

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

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

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

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

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

(i) a disability resulting from the personal injury;

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

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

(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, consistent with Article
5 56.41(b)(5), paid for the benefit of:

6 (i) ~~to~~ a dependent of a parent or guardian
7 who is a victim; or

8 (ii) a dependent who is a victim [~~7~~
9 ~~consistent with Article 56.41(b)(5)];~~

10 (F) reasonable and necessary costs of cleaning
11 the crime scene;

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

15 (H) reasonable and necessary costs, as provided
16 by Article 56.42(d), incurred by a victim of family violence or a
17 victim of sexual assault who is assaulted in the victim's place of
18 residence for relocation and housing rental assistance payments;

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

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

26 SECTION 2. The change in law made by this Act applies only
27 to a pecuniary loss arising from a criminal offense committed or a

1 violation that occurs on or after the effective date of this Act. A
2 criminal offense committed or a violation that occurs before the
3 effective date of this Act is governed by the law in effect on the
4 date the offense was committed or the violation occurred, and the
5 former law is continued in effect for that purpose. For purposes of
6 this section, a criminal offense was committed or a violation
7 occurred before the effective date of this Act if any element of the
8 offense or violation occurred before that date.

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