

BILL ANALYSIS

S.B. 145
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that in order to encourage sexual assault victims to come forward promptly to preserve crucial, perishable forensic evidence, a victim should not be responsible for the cost of a medical examination or collection of evidence following the assault. However, the parties note that in some cases, a victim is held responsible for such costs. Additionally, the parties believe that a victim of stalking deserves assistance with certain housing and relocation expenses. S.B. 145 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 145 amends the Code of Criminal Procedure to authorize the attorney general to make a payment to or on behalf of a victim of an alleged sexual assault, regardless of whether the victim has reported the assault to a law enforcement agency, for the reasonable costs incurred for emergency medical care provided to the victim. The bill expands the authorized uses of the compensation to victims of crime fund to include making such payments and reimbursing the Department of Public Safety for the reasonable cost of a forensic medical examination of a victim of an alleged sexual assault who has not reported the assault to a law enforcement agency. The bill specifies that the type of medical examination that a law enforcement agency is required to request for a victim of an alleged sexual assault who reports the assault is a forensic medical examination. The bill includes a victim of stalking among the victims who may receive a onetime-only assistance payment for relocation and housing rental expenses.

EFFECTIVE DATE

September 1, 2015.