

By: Anchia

H.B. No. 638

A BILL TO BE ENTITLED

1 AN ACT
2 relating to annuity payments to the surviving spouse of a person
3 wrongfully imprisoned.

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

5 SECTION 1. Section 103.053, Civil Practice and Remedies
6 Code, is amended by adding Subsection (d) to read as follows:

7 (d) On the death of a person receiving annuity payments
8 under this section, the person's surviving spouse is entitled to
9 the annuity payments for the life of the surviving spouse.

10 SECTION 2. Section 103.154(b), Civil Practice and Remedies
11 Code, is amended to read as follows:

12 (b) Annuity payments to a person under Section 103.151(b)
13 terminate on the later of the date of the person's death or the date
14 of the death of the person's surviving spouse. Any payments
15 scheduled to be paid after that date are credited to the state and
16 may not be paid to any other person, including the [~~person's~~
17 ~~surviving spouse,~~] heirs, devisees, or beneficiaries under the
18 person's will, or to the person's estate.

19 SECTION 3. The change in law made by this Act applies only
20 to an annuity of a person who dies on or after the effective date of
21 this Act. The annuity of a person who dies before the effective
22 date of this Act is governed by the law as it existed immediately
23 before the effective date of this Act and the former law is
24 continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2015.