

By: Anchia

H.B. No. 1246

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for compensation of persons wrongfully imprisoned.

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

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

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

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

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

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

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

(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, and who has not previously received compensation under this
6 chapter or under Chapter 507 (H.B. 904), Acts of the 59th
7 Legislature, Regular Session, 1965 (Article 6252-25, Vernon's
8 Texas Civil Statutes), which was codified as this chapter effective
9 September 1, 1985, may file an application with the comptroller for
10 compensation under Subchapter B not later than September 1, 2020.
11 This subsection expires September 2, 2020.

12 SECTION 3. This Act takes effect September 1, 2017.