

1-1 By: Perry S.B. No. 843
 1-2 (In the Senate - Filed February 13, 2017; February 27, 2017,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 March 23, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 0; March 23, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 843 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to disclosure and use of certain information regarding the
 1-22 Crime Victims' Compensation Act.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter B, Chapter 56, Code of Criminal
 1-25 Procedure, is amended by adding Article 56.65 to read as follows:

1-26 Art. 56.65. DISCLOSURE AND USE OF INFORMATION. (a) This
 1-27 article does not apply to information made confidential by law.

1-28 (b) An application for compensation under this subchapter
 1-29 and any information, document, summary, or other record provided to
 1-30 or received, maintained, or created by the attorney general under
 1-31 this subchapter is:

1-32 (1) except as provided by Section 552.132(c),
 1-33 Government Code, not subject to disclosure under Chapter 552 of
 1-34 that code; and

1-35 (2) except as provided by Subsection (c), not subject
 1-36 to disclosure, discovery, subpoena, or other means of legal
 1-37 compulsion for release.

1-38 (c) The attorney general may not release or disclose an
 1-39 application for compensation under this subchapter, or any
 1-40 information, document, summary, or other record provided to or
 1-41 received, maintained, or created by the attorney general under this
 1-42 subchapter, except:

1-43 (1) by court order for good cause shown, if the order
 1-44 includes a finding that the information is not available from any
 1-45 other source;

1-46 (2) with the consent of:

1-47 (A) the claimant or victim; or

1-48 (B) the person that provided the information to
 1-49 the attorney general;

1-50 (3) to an employee or other person under the direction
 1-51 of the attorney general;

1-52 (4) to another crime victims' compensation program
 1-53 that meets the requirements of 42 U.S.C. Section 10602(b);

1-54 (5) to a person authorized by the attorney general to
 1-55 receive the information in order to:

1-56 (A) conduct an audit as required by state or
 1-57 federal law;

1-58 (B) provide a review or examination under Article
 1-59 56.38, 56.385, or 56.39 or under another provision of this
 1-60 subchapter for the purpose of determining the appropriateness of an

2-1 award under this subchapter;
2-2 (C) prevent, deter, or punish fraud related to
2-3 this subchapter; or
2-4 (D) assert subrogation or restitution rights;
2-5 (6) as the attorney general determines necessary to
2-6 enforce this chapter, including presenting the application,
2-7 information, document, summary, or record in court; or
2-8 (7) in response to a subpoena that is issued in a
2-9 criminal proceeding and that requests an application for
2-10 compensation under this subchapter, subject to Subsection (d).

2-11 (d) If responding to a subpoena described by Subsection
2-12 (c)(7), the attorney general shall release only the victim's
2-13 completed application form as described by Article 56.36(a) after
2-14 redacting any confidential information described by Section
2-15 552.132(b), Government Code.

2-16 SECTION 2. The change in law made by this Act applies only
2-17 to a request for information that is received on or after the
2-18 effective date of this Act. A request for information that was
2-19 received before the effective date of this Act is governed by the
2-20 law in effect on the date the request was received, and the former
2-21 law is continued in effect for that purpose.

2-22 SECTION 3. This Act takes effect September 1, 2017.

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