

By: Metcalf

H.B. No. 1499

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances.

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

SECTION 1. Section 74.501, Property Code, is amended by amending Subsection (e) and adding Subsection (g) to read as follows:

(e) Except as provided by Subsections ~~[Subsection]~~ (f) and (g), the comptroller may not pay to the following persons a claim to which this section applies:

(1) a creditor, a judgment creditor, a lienholder, or an assignee of the reported owner or of the owner's heirs; or

(2) a person holding a power of attorney from the reported owner or the owner's heirs.

(g) The comptroller may approve a claim for unclaimed property submitted by a claimant who was a victim of a criminal offense for which the reported owner of the unclaimed property was finally convicted if on the date the claim is submitted:

(1) the claimant is entitled to payment from the reported owner under:

(A) a final judgment against the reported owner related to that criminal offense; or

(B) a final order of restitution under Article

1 42.037, Code of Criminal Procedure, related to that criminal
2 offense; and

3 (2) the reported owner is incarcerated in federal
4 custody or the custody of this or any state based on any final
5 criminal conviction.

6 SECTION 2. The change in law made by this Act applies only
7 to a claim filed under Section 74.501, Property Code, on or after
8 the effective date of this Act. A claim filed under that section
9 before the effective date of this Act is governed by the law in
10 effect immediately before the effective date of this Act, and that
11 law is continued in effect for that purpose.

12 SECTION 3. This Act takes effect September 1, 2019.