

By: Raymond

H.B. No. 3294

A BILL TO BE ENTITLED

AN ACT

relating to reimbursing a commissioners court for the reasonable cost of transporting a body for the purpose of an autopsy.

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

SECTION 1. Article 49.10, Code of Criminal Procedure, is amended by adding Subsection (h-1) to read as follows:

(h-1) A commissioners court that pays a fee to transport a body to or from a place where an autopsy can be performed under this article may seek reimbursement for the reasonable costs of the transportation as provided by this subsection. On application to the attorney general, the commissioners court may be reimbursed from the compensation to victims of crime fund if the physician performing the autopsy determines the death was caused by unlawful means. On application to the attorney representing the state or the head of a law enforcement agency, a commissioners court may be reimbursed from civil asset forfeiture proceeds as provided by Article 59.06(t), regardless of the circumstances of the death. The commissioners court may not be reimbursed from more than one source under this subsection.

SECTION 2. Article 56.54(k), Code of Criminal Procedure, is amended to read as follows:

(k) The attorney general may use the compensation to victims of crime fund to:

(1) reimburse a law enforcement agency for the

1 reasonable costs of a forensic medical examination that are  
2 incurred by the agency under Article 56.06 or 56.065; [~~and~~]

3 (2) make a payment to or on behalf of an individual for  
4 the reasonable costs incurred for medical care provided under  
5 Article 56.06 or 56.065 in accordance with Section 323.004, Health  
6 and Safety Code; and

7 (3) as provided by Article 49.10, reimburse a  
8 commissioners court for the reasonable cost of transporting a body  
9 for the purpose of an autopsy.

10 SECTION 3. Article 59.06, Code of Criminal Procedure, is  
11 amended by adding Subsection (t) to read as follows:

12 (t) As a specific exception to Subsection (c) that the funds  
13 described by that subsection be used only for the official purposes  
14 of the attorney representing the state or for law enforcement  
15 purposes, the attorney representing the state or the head of a law  
16 enforcement agency, as applicable, may use any portion of the gross  
17 amount credited to the attorney's or agency's special fund under  
18 Subsection (c) to reimburse a commissioners court for the  
19 reasonable cost of transporting a body for the purpose of an  
20 autopsy.

21 SECTION 4. This Act takes effect September 1, 2019.