

By: Leach

H.B. No. 3976

A BILL TO BE ENTITLED

AN ACT

relating to civil enforcement of an order of restitution for a criminal offense.

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

SECTION 1. Article 42.037(m), Code of Criminal Procedure, is amended to read as follows:

(m) An order of restitution may be enforced by the state or a victim named in the order to receive the restitution in the same manner as a judgment in a civil action. After the court certifies the order, the state or victim may file the order with a trial court with civil jurisdiction, and the civil court shall immediately enter a civil judgment for the amount of the order that is effective the 30th day after the date the order is entered. The state or victim is not required to serve notice on the defendant to obtain the civil judgment.

SECTION 2. Article 42.037, Code of Criminal Procedure, as amended by this Act, applies only to an order of restitution not collected on or after the effective date of this Act.

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