

By: Krause, Rose

H.B. No. 3185

Substitute the following for H.B. No. 3185:

By: Morrison

C.S.H.B. No. 3185

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the denial or reduction of an award otherwise payable
3 under the Crime Victims' Compensation Act.

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

5 SECTION 1. Article 56B.107, Code of Criminal Procedure, is
6 amended by amending Subsection (a) and adding Subsection (c) to
7 read as follows:

8 (a) Except as otherwise provided by this article, the ~~[The]~~
9 attorney general may deny or reduce an award otherwise payable:

10 (1) if the claimant or victim has not substantially
11 cooperated with an appropriate law enforcement agency;

12 (2) if, as a result of the claimant's or victim's
13 behavior, the claimant or victim bears a share of the
14 responsibility for the act or omission giving rise to the claim;

15 (3) to the extent that pecuniary loss is recouped from
16 a collateral source; or

17 (4) if the claimant or victim was engaging in an
18 activity that at the time of the criminally injurious conduct was
19 prohibited by law, including a rule.

20 (c) The attorney general may not deny or reduce an award
21 under Subsection (a)(1) based on the interactions of the claimant
22 or victim with a law enforcement agency at the crime scene or
23 hospital unless the attorney general finds that the claimant or
24 victim, subsequent to the claimant's or victim's interactions at

1 the crime scene or hospital, failed or refused to substantially
2 cooperate with the law enforcement agency.

3 SECTION 2. The change in law made by this Act applies only
4 to compensation for criminally injurious conduct occurring on or
5 after the effective date of this Act. Compensation for criminally
6 injurious conduct occurring before the effective date of this Act
7 is governed by the law in effect on the date the conduct occurred,
8 and the former law is continued in effect for that purpose. For
9 purposes of this section, criminally injurious conduct occurred
10 before the effective date of this Act if any element of the offense
11 underlying the conduct occurred before that date.

12 SECTION 3. This Act takes effect September 1, 2021.