

BILL ANALYSIS

S.B. 1666
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Restitution payments collected from individuals released on parole or mandatory supervision are held by clerks of the court for victims of crime. If a victim cannot be located or fails to claim those funds within five years, the payments are considered abandoned and are reported to the comptroller of public accounts. However, the bill sponsor has informed the committee of concerns raised by county clerks about this unclaimed restitution sitting unused and the lack of a direct mechanism to ensure these funds continue to benefit crime victims. In some cases, restitution is delayed due to incomplete or missing victim contact information when the funds are transferred from the Texas Department of Criminal Justice (TDCJ) to the county clerk. S.B. 1666 seeks to help ensure that local officials have the tools needed to locate victims and issue payments in a timely manner and also reduces the window in which funds sit idle. If the victim cannot be located or does not claim the funds within that time, the unclaimed restitution is directed to the compensation to victims of crime fund, ensuring those dollars still support victims.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1666 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to transfer to the clerk of the court that entered an order of restitution for which TDCJ received notice from a court a restitution payment derived from unclaimed property for which a claim was filed by TDCJ. The bill requires TDCJ to include with the restitution payment the last known address of the victim available to TDCJ, if any. The bill requires TDCJ to post on its website the contact information for a TDCJ employee who is able to respond to inquiries from county officials regarding a transferred restitution payment and establishes that information provided under these provisions is confidential and not subject to public disclosure under state public information law.

S.B. 1666 requires TDCJ, when a parole panel orders the payment of restitution from a releasee, to provide at the time the payment is transmitted to the clerk of the court that entered the order of restitution the last known address of the victim available to the department, if any. The bill establishes that this information provided to the clerk of a court is also confidential and not subject to disclosure under state public information law.

S.B. 1666 revises the provision establishing that unclaimed restitution payments made by a releasee are presumed abandoned if the victim entitled to restitution does not make a claim for payment before a certain deadline or if, after the victim makes a claim for payment, the clerk is unable to locate the victim for a specified period of time after the date the clerk last made a payment to the victim, as follows:

- changes the deadline by which a victim must make a claim from the fifth anniversary of the date the clerk receives the initial restitution payment to the third anniversary of such date; and
- reduces from five years to three years the specified period of time after the last payment for which the unclaimed payments are held if the clerk is unable to locate the victim.

EFFECTIVE DATE

September 1, 2025.