

By: Metcalf

H.B. No. 3636

A BILL TO BE ENTITLED

AN ACT

relating to the payment of restitution by a person released on parole or to mandatory supervision.

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

SECTION 1. Article 42.037, Code of Criminal Procedure, is amended by adding Subsection (y) to read as follows:

(y) If a victim who is entitled to restitution does not make a claim for payment before the third anniversary of the date the clerk of the court receives the initial restitution payment or if, after the victim makes a claim for payment, the clerk is unable to locate the victim for a period of three years after the date the clerk last made a payment to the victim, any unclaimed restitution payments being held by the clerk for payment to the victim shall be transferred to the compensation to victims of crimes fund.

SECTION 2. Section 493.035, Government Code, is amended by adding Subsections (e), (f), and (g) to read as follows:

(e) If the department transfers a restitution payment to a county, the department shall include the last known address of the victim.

(f) The department transferring a restitution payment to the clerk shall include a history of past payments made to the victim by the department to include the following:

(1) the date each payment was made;

(2) the amount of each payment;

1           (3) the address each payment was sent to; and

2           (4) the ending balance of payments made to the victim  
3 during the departments collection period.

4           (g) Information provided to a clerk of the court under  
5 Subsections (e) and (f) is confidential and not subject to public  
6 disclosure under Chapter 552.

7           SECTION 3. Sections 508.322, Government Code, are amended  
8 by amending Subsections (c) and (e) and adding Subsection (c-3) to  
9 read as follows:

10           (c) When a parole panel orders the payment of restitution  
11 from a releasee as provided by Article 42.037(h), Code of Criminal  
12 Procedure, the department shall:

13                   (1) collect the payment for disbursement to the  
14 victim;

15                   (2) deposit the payment in the releasee restitution  
16 fund; and

17                   (3) transmit the payment, a payment history described  
18 by 493.035(f), and the last known address of the victim to the clerk  
19 of the court that entered the order of restitution as soon as  
20 practicable for the clerk to remit the payment to the victim.

21           (c-3) Information provided to a clerk of the court under  
22 Subsection (c)(3) is confidential and not subject to public  
23 disclosure under Chapter 552.

24           (e) If a victim who is entitled to restitution does not make  
25 a claim for payment before the third ~~[fifth]~~ anniversary of the date  
26 the clerk of the court receives the initial restitution payment or  
27 if, after the victim makes a claim for payment, the clerk is unable

1 to locate the victim for a period of three [~~five~~] years after the  
2 date the clerk last made a payment to the victim, any unclaimed  
3 restitution payments being held by the clerk for payment to the  
4 victim shall be transferred to the compensation to victims of  
5 crimes fund [~~are presumed abandoned. The clerk of the court shall~~  
6 ~~report and deliver to the comptroller all unclaimed restitution~~  
7 ~~payments presumed abandoned under this section in the manner~~  
8 ~~provided by Chapter 77, Property Code~~].

9 SECTION 2. This Act takes effect September 1, 2025.