

BILL ANALYSIS

Senate Research Center

H.B. 131
By: Deshotel (Armbrister)
Criminal Justice
5/6/2001
Engrossed

DIGEST AND PURPOSE

Under current Texas law, a law enforcement agency (agency) that requests a medical examination of a victim of an alleged sexual assault for use in the investigation or prosecution of the offense is required to pay all costs of the examination. H.B. 131 entitles a law enforcement agency to be reimbursed for the reasonable costs of a medical examination of a victim of an alleged sexual assault if that information is to be used in the investigation or prosecution of the offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 56.06, Code of Criminal Procedure, to provide that on application to the attorney general, the law enforcement agency is entitled to be reimbursed for the reasonable costs of that examination if the examination was performed by a physician or by a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code.

SECTION 2. Reenacts Article 56.54(b), Code of Criminal Procedure, as amended by Chapters 1042 and 1434, Acts of the 75th Legislature, Regular Session, 1997, and amends it as follows:

(b) Authorizes the compensation to victims of crime fund, except as provided by Subsections (h), (i), (j), and (k) and Article 56.541, to be used only by the attorney general for the payment of compensation to claimants or victims under this subchapter, the operation of the Crime Victims' Institute created by Chapter 412, Government Code, and other expenses in administering this subchapter.

SECTION 3. Amends Article 56.54, Code of Criminal Procedure, by adding Subsection (k), to authorize the attorney general to use the compensation to victims of crime fund to reimburse a law enforcement agency for the reasonable costs of a medical examination that are incurred by the agency under Article 56.06.

SECTION 4. Effective date: upon passage or September 1, 2001.