

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 957
By: Zaffirini
Criminal Justice
4/27/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows the Office of the Attorney General (OAG) to make payments from the crime victims' compensation fund to victims of family violence for one-time relocation expenses. There are other situations in which relocation may be necessary, including home invasions or instances of gun violence. What's more, persons are eligible to receive payments from the crime victims' compensation fund only after cooperating with law enforcement. Persons at a crime scene or hospital, however, may be unable to speak to the police due to trauma. Under these circumstances, many police reports note only that the victim declined to speak to law enforcement, causing delays in victims receiving support because what the OAG would see when reviewing the application is that the victim refused to speak to law enforcement.

S.B. 957 would add a provision allowing for one-time relocation expenses for any crime when they are necessary to protect the health or safety of the victim or his or her family. It also would exclude speaking to the police at a crime scene or hospital from the definition of cooperating with law enforcement, ensuring persons are not prevented from receiving support because they experience trauma.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 957 amends current law relating to the denial or reduction of an award otherwise payable under the Crime Victims' Compensation Act.

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 56B.107, Code of Criminal Procedure, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Creates an exception under Article 56B.107 (Denial or Reduction of Award) to the attorney general's authority to deny or reduce certain otherwise payable crime victim's compensation awards. Makes a conforming change.

(c) Prohibits the attorney general from denying or reducing an award of crime victims' compensation under Subsection (a)(1) (relating to denying or reducing an award if the claimant or victim has not substantially cooperated with an appropriate law enforcement agency) based on the interactions of the claimant or victim with a law enforcement agency at the crime scene or hospital unless the attorney general finds that the claimant or victim, subsequent to the claimant's or victim's interactions at the crime scene or hospital, failed or refused to substantially cooperate with the law enforcement agency.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.