

## **BILL ANALYSIS**

H.B. 1246  
By: Anchia  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that persons wrongfully imprisoned before the law providing compensation for wrongful imprisonment went into effect should be eligible for that compensation. H.B. 1246 seeks to provide for this eligibility.

### **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**

H.B. 1246 amends the Civil Practice and Remedies Code to establish that a wrongfully imprisoned person is not entitled to compensation or to group health benefit plan coverage under state law for any part of a sentence in prison during which the person was also serving a concurrent sentence for another wrongful conviction for which the person has already received such compensation or coverage. The bill adds a temporary provision, set to expire September 2, 2020, to authorize a person seeking compensation for wrongful imprisonment who received or was granted the applicable pardon or relief before September 1, 1998, and who has not previously received compensation under statutory provisions governing compensation to wrongfully imprisoned persons or under certain former provisions of Vernon's Texas Civil Statutes governing such compensation that were codified as those statutory provisions effective September 1, 1985, to file an application with the comptroller of public accounts for compensation not later than September 1, 2020.

### **EFFECTIVE DATE**

September 1, 2017.