

**SUBJECT:** Revising criteria to deny, reduce crime victims' compensation award

**COMMITTEE:** Appropriations — favorable, without amendment

**VOTE:** 21 ayes — Bonnen, Ashby, C. Bell, Capriglione, Dominguez, Gates, Holland, A. Johnson, Jarvis Johnson, Julie Johnson, Minjarez, Morrison, Rose, Schaefer, Stucky, E. Thompson, Toth, VanDeaver, Walle, Wilson, Wu

0 nays

6 absent — M. González, Dean, Howard, Raney, Sherman, Zwiener

**SENATE VOTE:** On final passage, May 10 — 30-0

**WITNESSES:** No public hearing.

**BACKGROUND:** The Crime Victims' Compensation Program is administered by the attorney general and receives revenue from certain court costs and fees and awards funds for crime victims' compensation and victims' assistance programs.

Code of Criminal Procedure art. 56B.107 allows the attorney general to deny or reduce an award from the program under certain circumstances. Under art. 56B.107(a)(1), these circumstances include if the claimant or victim had not substantially cooperated with an appropriate law enforcement agency.

Concerns have been raised that current law might result in the unfair reduction or denial of funds from the crime victims compensation program to a crime victim who did not speak to law enforcement authorities immediately after a crime due to the trauma of the event.

**DIGEST:** SB 957 would prohibit the attorney general from denying or reducing compensation awarded through the Crime Victims' Compensation Program because the claimant or victim had not substantially cooperated

with an appropriate law enforcement agency if the denial or reduction was based on the interactions of the claimant or victim with a law enforcement agency at the crime scene or hospital. As an exception to this, claims could be denied or reduced if the attorney general found that the claimant or victim, subsequent to their interactions at the crime scene or hospital, failed or refused to substantially cooperate with the law enforcement agency.

The bill would take effect September 1, 2021, and would apply only to compensation for conduct that occurred on or after the bill's effective date.

NOTES:

The House companion bill, HB 3185 by Krause, was considered by the House Appropriations Committee in a public hearing on May 4, reported favorably, and sent to the Calendars Committee.