

**SUBJECT:** Revising provisions under the Crime Victims' Compensation Act

**COMMITTEE:** Juvenile Justice & Family Issues — committee substitute recommended

**VOTE:** 8 ayes — Dutton, Lujan, Cook, Leo-Wilson, J. Lopez, Smithee, Talarico, Wu  
0 nays  
1 absent — Martinez Fischer

**WITNESSES:** For — Terra Tucker, Alliance for Safety and Justice; Jill Henderson, Cathy Taylor, Crime Survivors for Safety and Justice (*Registered, but did not testify*: Lauren Johnson, ACLU of Texas; Daniel Hodge, Alliance for Safety and Justice; Nadia Islam, City of San Antonio; Jennifer Balido, Dallas County Criminal District Attorney John Creuzot; Molly Thibodeaux, Texas Council on Family Violence; Jennifer Allmon, The Texas Catholic Conference of Bishops)  
Against — None  
On — (*Registered, but did not testify*: Kristen Huff, Office of the Attorney General)

**BACKGROUND:** Concerns have been raised that certain provisions relating to eligibility requirements and compensation limits under the Crime Victims' Compensation Act may hinder the program from fulfilling its intent of meeting the needs of crime victims and their families.

**DIGEST:** **Definitions.** The bill would define a family member as an individual who was related to the victim by consanguinity or affinity, removing the condition that a family member be related within the second degree. As it related to eligibility for crime victims' compensation, CSHB 250 would remove the condition that a family member of a victim be an "immediate" family member to qualify as a claimant. The bill also would remove the condition that a household member be related by

consanguinity or affinity to the victim.

CSHB 250 would expand the definition of family violence as it relates to the crime victims' compensation program to include abuse by a member of a family or household toward a child of the family or household and dating violence.

**Pecuniary loss.** CSHB 250 would amend certain provisions related to losses incurred as a result of injury or death that could be covered by the program. The bill would remove the 10-day limit on bereavement leave for a family member or household member of a deceased member. The bill also would remove the one night limit for lodging near a place of execution for the purposes of witnessing an execution.

**Compensation limits.** The bill would remove limitations on payments for certain expenses for victims of stalking, family violence, or trafficking of persons, a victim of sexual assault who was assaulted in the victim's residence, or a child who was a victim of a murder attempt in the child's residence. Such victims also could receive compensation for temporary or emergency lodging and transportation expenses in addition to other expenses.

Other victims, a dependent of any victim, or a family member or household member of any victim could receive compensation for the following certain relocation expenses and housing rental expenses.

Unless the attorney general determined that there was an extraordinary health or safety need for compensation to be made to more than two households, the attorney general could, for each application based on criminally injurious conduct giving rise to the need for relocation or housing rental expenses, award compensation for relocation or housing rental expenses to households of no more than one victim and one claimant or, if the victim was deceased, two claimants.

The attorney general by rule could establish a limitation on the amount a victim or claimant could receive except that the limitation for relocation

expenses could not be less than \$2,000 and housing rental expenses could not be less than \$1,800.

The attorney general by rule could establish a limitation on an award a family member or household members of a deceased victim could receive for lost wages as a result of bereavement leave taken by the family or household member, except that the limit could not be less than the lesser of \$1,000 or an amount equal to 10 work days of lost wages.

The bill would take effect September 1, 2023, and would apply only to compensation for criminally injurious conduct occurring on or after that date.

NOTES:

According to estimates by the Legislative Budget Board (LBB), CSHB 250 would have a negative two-year impact of \$4,341,472 to general revenue-dedicated Compensation to Victims of Crime account.