

BILL ANALYSIS

Senate Research Center

H.B. 1895
By: Hope (Staples)
Criminal Justice
5/23/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Immediate family members of deceased crime victims often suffer pecuniary losses of wages and travel expenses as a direct result of the sudden and unexpected death of their loved one(s) due to a violent crime. Most close survivors of a victim are not in a position to absorb this unexpected financial loss. Some employers offer a paid bereavement leave to their employees, however, it is not the practice of all employers.

H.B. 1895 provides limited compensation for certain survivors of deceased crime victims for out-of-pocket travel expenses associated with attending the funeral, and provides a bereavement period to reimburse lost wages for up to 10 work days, or a maximum of \$1,000.

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 Articles 56.32(a)(2), and (9), Code of Criminal Procedure, as follows:

- (2) Redefines "claimant."
- (9) Redefines "pecuniary loss."

SECTION 2. Amends Article 56.42, Code of Criminal Procedure, as follows:

- (c) Authorizes the attorney general, by rule, to establish limitations on any other pecuniary loss compensated for under this subchapter, including limitations on pecuniary loss incurred as a result of a claimant's travel to and attendance of a deceased victim's funeral.
- (e) Prohibits an immediate family member of a deceased victim from receiving more than \$1,000 in lost wages as a result of bereavement leave taken by the family member.

SECTION 3. (a) Effective date: September 1, 2003.

- (b) Makes application of this Act prospective.

LIST OF COMMITTEE AMENDMENTS

Committee Amendment No 1:

Amends H.B. 1895 (house engrossment) as follows:

- (1) In SECTION 1 of the bill, in amended Article 56.32(a)(2), Code of Criminal Procedure

(page 1, lines 19 and 20), strike “[~~or household member~~]” and substitute “or household member”.

(2) In SECTION 1 of the bill, in amended Article 56.32(a)(9), Code of Criminal Procedure (page 2, line 26), between “member” and “of”, insert “or household member”.

(3) In SECTION 1 of the bill, in amended Article 56.32(a)(9), Code of Criminal Procedure (page 3, line 13), between “member” and “of”, insert “or household member”.

(4) In SECTION 2 of the bill, in proposed Article 56.42(e), Code of Criminal Procedure (page 3, line 22), between “member” and “of”, insert “or household member”.

(5) In SECTION 2 of the bill, in proposed Article 56.42(e), Code of Criminal Procedure (page 3, line 24), between “family” and “member”, insert “or household”.