

BILL ANALYSIS

Senate Research Center

H.B. 1489
By: Turner (Williams)
Finance
4/14/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, prior to each legislative session, the attorney general must certify the amount of money anticipated to be available for appropriation in the upcoming biennium by the legislature for victim-related services and assistance. That calculation is made by using estimates of revenue for the Compensation to Victim's of Crime Fund (fund) as well as estimates of the amount of the fund that will be allocated to fund the Crime Victims Compensation Program and the Crime Victims Institute.

As part of the calculation, the statute requires that the office of the attorney general multiply the amount requested to be allocated by 120 percent and also set aside \$10 million in the event of a catastrophe. The resulting amount is considered the "excess" funds. This year the amount certified was \$46,573,177. In the base bill prepared by the Legislative Budget Board, the appropriation of excess funds totaled \$103.7 million, exceeding the certification by \$57 million. One way to close the gap between the amount certified and the amount appropriated is to eliminate the 20 percent buffer in statute, thereby increasing the certified amount available to the legislature.

H.B. 1489 changes the calculation method by removing the 20 percent buffer. For this year, the office of the attorney general could adjust the amount certified as available for appropriation from \$46,573,177 to \$74,931,427. This would result in an additional \$28,358,250 certified to the legislature.

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 56.01, Code of Criminal Procedure, to redefine "victim."

SECTION 2. Amends Article 56.32(a), Code of Criminal Procedure, by adding Subdivision (13), to define "victim-related services or assistance."

SECTION 3. Amends Article 56.541(b), Code of Criminal Procedure, by amending the formula used to calculate the amount of excess money in the Compensation to Victim's of Crime Fund.

SECTION 4. Effective date: September 1, 2005.