

Chapter 8

S.B. No. 843

AN ACT

relating to disclosure and use of certain information regarding the Crime Victims' Compensation Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 56, Code of Criminal Procedure, is amended by adding Article 56.65 to read as follows:

Art. 56.65. DISCLOSURE AND USE OF INFORMATION. (a) This article does not apply to information made confidential by law.

(b) An application for compensation under this subchapter and any information, document, summary, or other record provided to or received, maintained, or created by the attorney general under this subchapter is:

(1) except as provided by Section 552.132(c), Government Code, not subject to disclosure under Chapter 552 of that code; and

(2) except as provided by Subsection (c), not subject to disclosure, discovery, subpoena, or other means of legal compulsion for release.

(c) The attorney general may not release or disclose an application for compensation under this subchapter, or any information, document, summary, or other record provided to or received, maintained, or created by the attorney general under this subchapter, except:

(1) by court order for good cause shown, if the order

1 includes a finding that the information is not available from any
2 other source;

3 (2) with the consent of:

4 (A) the claimant or victim; or

5 (B) the person that provided the information to
6 the attorney general;

7 (3) to an employee or other person under the direction
8 of the attorney general;

9 (4) to another crime victims' compensation program
10 that meets the requirements of 42 U.S.C. Section 10602(b);

11 (5) to a person authorized by the attorney general to
12 receive the information in order to:

13 (A) conduct an audit as required by state or
14 federal law;

15 (B) provide a review or examination under Article
16 56.38, 56.385, or 56.39 or under another provision of this
17 subchapter for the purpose of determining the appropriateness of an
18 award under this subchapter;

19 (C) prevent, deter, or punish fraud related to
20 this subchapter; or

21 (D) assert subrogation or restitution rights;

22 (6) as the attorney general determines necessary to
23 enforce this chapter, including presenting the application,
24 information, document, summary, or record in court; or

25 (7) in response to a subpoena that is issued in a
26 criminal proceeding and that requests an application for
27 compensation under this subchapter, subject to Subsection (d).

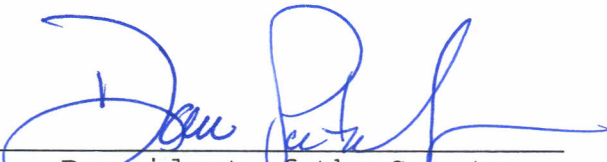
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1 (d) If responding to a subpoena described by Subsection
2 (c)(7), the attorney general shall release only the victim's
3 completed application form as described by Article 56.36(a) after
4 redacting any confidential information described by Section
5 552.132(b), Government Code. The release of a victim's completed
6 application form under this subsection does not affect the
7 authority of the court to order the release or disclosure of
8 additional information under this article.

9 SECTION 2. The change in law made by this Act applies only
10 to a request for information that is received on or after the
11 effective date of this Act. A request for information that was
12 received before the effective date of this Act is governed by the
13 law in effect on the date the request was received, and the former
14 law is continued in effect for that purpose.

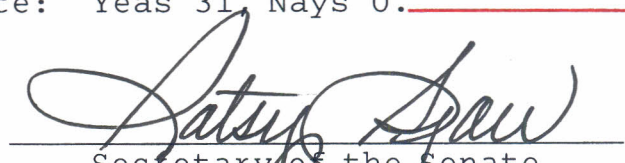
15 SECTION 3. This Act takes effect September 1, 2017.

S.B. No. 843



President of the Senate


Speaker of the House

I hereby certify that S.B. No. 843 passed the Senate on March 29, 2017, by the following vote: Yeas 31, Nays 0. _____

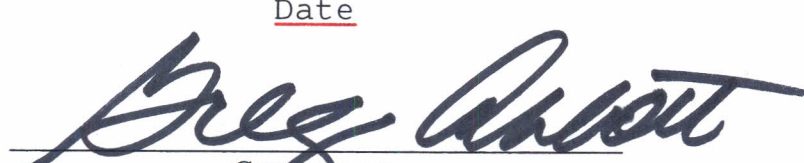

Secretary of the Senate

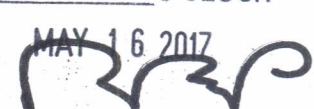
I hereby certify that S.B. No. 843 passed the House on May 2, 2017, by the following vote: Yeas 146, Nays 0, one present not voting. _____


Chief Clerk of the House

Approved:

5-16-2017
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4 pm O'CLOCK
MAY 16 2017

Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 19, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB843 by Perry (Relating to disclosure and use of certain information regarding the Crime Victims' Compensation Act.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to exempt from disclosure certain information related to an application or any other record regarding crime victims' compensation.

Based on the analysis of the Office of the Attorney General, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: UP, JSm, KJo, NV, ZB

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 22, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB843 by Perry (relating to disclosure and use of certain information regarding the Crime Victims ' Compensation Act.), **Committee Report 1st House, Substituted**

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The bill would take effect September 1, 2017.

Local Government Impact

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Source Agencies: 302 Office of the Attorney General

LBB Staff: UP, KJo, NV, JSm, ZB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 20, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB843 by Perry (Relating to disclosure and use of certain information regarding the Crime Victims' Compensation Act.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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Source Agencies: 302 Office of the Attorney General

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