

BILL ANALYSIS

Senate Research Center
84R532 JSC-D

S.B. 145
By: Rodríguez
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

To encourage sexual assault victims to come forward promptly to preserve crucial and perishable forensic evidence, Articles 56.06 and 56.065, Code of Criminal Procedure, allow victims to have evidence collected at no charge, regardless of whether a police report is immediately made. However, Article 56.45 provides that only those victims who have reported their assaults to police are eligible for reimbursement of medical costs through the Crime Victims' Compensation (CVC) program. S. B.145 would ensure that all victims have access to medical forensic exams at no cost by extending CVC eligibility to victims who have preserved evidence for use by law enforcement under Article 56.065.

As proposed, S.B. 145 amends current law relating to reimbursement for certain medical costs for survivors of sexual assault.

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 56.46, Code of Criminal Procedure, by adding Subsection (d), as follows:

(d) Provides that Subsection (a) (relating to the time period during which a claimant may file a complaint) does not apply to reimbursement for a forensic medical examination under Article 56.065 (Medical Examination for Sexual Assault Victim Who Has Not Reported Assault; Costs) or any other medical care described by Section 323.004 (Minimum Standards for Emergency Services), Health and Safety Code, obtained by a victim of an offense under Section 21.02 (Continuous Sexual Abuse of Young Child or Children), 21.11 (Indecency with a Child), 22.011 (Sexual Assault), or 22.021 (Aggravated Sexual Assault), Penal Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.