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AN ACT

relating to the definition of criminally injurious conduct for purposes of the Crime Victims' Compensation Act.

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

SECTION 1. Subdivision (4), Subsection (a), Section 56.32, Code of Criminal Procedure, is amended to read as follows:

(4) "Criminally injurious conduct" means conduct that:

(A) occurs or is attempted;

(B) poses a substantial threat of personal injury or death;

(C) is punishable by fine, imprisonment, or death, or would be punishable by fine, imprisonment, or death if the person engaging in the conduct possessed capacity to commit the conduct; and

(D) does not arise out of the ownership, maintenance, or use of a motor vehicle, aircraft, or water vehicle, unless the conduct is intended to cause personal injury or death or the conduct is in violation of Section 545.157 or 545.401, Transportation Code, and results in bodily injury or death, or is in violation of Section 550.021, Transportation Code, or one or more of the following sections of the Penal Code:

(i) Section 19.04 (manslaughter);

(ii) Section 19.05 (criminally negligent

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- 1 homicide);
- 2 (iii) Section 22.02 (aggravated assault);
- 3 (iv) Section 22.05 (deadly conduct);
- 4 (v) Section 49.04 (driving while
- 5 intoxicated);
- 6 (vi) [~~(v)~~] Section 49.05 (flying while
- 7 intoxicated);
- 8 (vii) [~~(vi)~~] Section 49.06 (boating while
- 9 intoxicated);
- 10 (viii) [~~(vii)~~] Section 49.07 (intoxication
- 11 assault); or
- 12 (ix) [~~(viii)~~] Section 49.08 (intoxication
- 13 manslaughter).

14 SECTION 2. The changes in law made by this Act apply only to
 15 compensation for criminally injurious conduct occurring on or after
 16 the effective date of this Act. Compensation for criminally
 17 injurious conduct occurring before the effective date of this Act
 18 is covered by the law in effect when the conduct occurred, and the
 19 former law is continued in effect for that purpose. For purposes of
 20 this section, criminally injurious conduct occurred before the
 21 effective date of this Act if any element of the offense underlying
 22 the conduct occurred before that date.

23 SECTION 3. This Act takes effect September 1, 2007.

S.B. No. 157

David Newkirk
President of the Senate

Jon Cardillo
Speaker of the House

I hereby certify that S.B. No. 157 passed the Senate on April 19, 2007, by the following vote: Yeas 31, Nays 0.

Datsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 157 passed the House on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

15 JUN 07
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9 PM O'CLOCK

Roger Williams
Secretary of State