

New Texas House Bill, Bentley's Law, Introduces Mandatory Compensation for Children of Drunk Driving

Texas's Bentley Law (HB 393) mandates compensation for children affected by drunk driving accidents, prioritizing their welfare. Effective from Sept 1.

CARROLLTON, TEXAS, UNITED STATES, August 12, 2023 /EINPresswire.com/ -- A significant step



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Sean Chalki

forward has been taken in Texas with the enactment of Texas House Bill 393, known colloquially as [the Bentley Law](#), aimed at providing mandatory compensation for children who are victims of drunk driving manslaughter. This legislation marks a crucial shift in prioritizing the welfare and support of these young survivors.

The new statute, which amends Section 42 of the Code of Criminal Procedure, introduces Article 42.0375, a subsection that addresses the pressing need for financial support to be extended to children impacted by the tragic consequences of drunk driving. Under the Bentley Law, children of victims will be entitled to compensation until they reach the age of 18 or complete their high school education, whichever comes later. The court will carefully evaluate relevant factors to determine appropriate restitution, ensuring that the children's needs are met.

In cases where child support amounts need to be determined, the court will meticulously consider several vital factors. These include the child's financial needs, the surviving parent or guardian's available resources, and the child's existing lifestyle and educational requirements. Additionally, the court will consider custody arrangements and potential childcare expenses that may arise due to work commitments. Notably, significant life changes, such as the loss of a job and alterations to the child's medical insurance, will qualify as material and substantial differences, warranting a reevaluation of support amounts.

The Bentley Law establishes clear guidelines for the enforcement of payment and restitution. Offenders can make child support payments directly to the Department of Family and Protective Services. Sometimes, the guardian responsible for the child's care may also be eligible to receive these payments. A twelve-month window will be provided for payment initiation upon release from custody. Furthermore, options for arranging payment plans for unpaid balances will be available. Restitution payments can play a pivotal role in mitigating financial penalties, thus

providing a pathway to financial stability for all parties involved. The judgment enforcement process will adhere to the standard procedures applied to other civil judgments.

The effective date of this regulatory amendment is September 1. Beginning September 1, 2023, the revised legislation will govern all criminal acts committed after that. Actions occurring before this date will continue to be governed by the previous legislation, as it was still in effect at the time of the offense.

The Bentley Law represents a significant stride towards recognizing the rights and needs of children affected by the devastating consequences of drunk driving. Texas continues to lead the way in implementing reforms that promote justice, support, and a safer future for its citizens. Law firms like [Chalaki Law P.C.](#) have also been tirelessly fighting for the rights of drunk-driving victims and their families.

Sean Chalaki
Chalaki Law, P.C.
+1 972-793-8500
[email us here](#)

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