

By: Martinez Fischer

H.B. No. 732

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the payment of costs incurred in executing arrest
3 warrants for violations of the conditions of community supervision.

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

5 SECTION 1. Section 21, Article 42.12, Code of Criminal
6 Procedure, is amended by adding Subsection (b-1) to read as
7 follows:

8 (b-1) On the issuance of a warrant for a violation of any of
9 the conditions of community supervision, the judge may require the
10 defendant to pay a fee not to exceed \$50 to cover the cost of issuing
11 the warrant. The judge shall waive the fee if the judge determines
12 at the community supervision revocation hearing that the defendant
13 did not violate a condition of community supervision. The judge may
14 waive or reduce the fee if the judge determines that payment of the
15 fee would cause the defendant a significant financial hardship.
16 The judge shall deposit a fee received under this subsection in a
17 special fund in the county treasury or municipal treasury, as
18 appropriate, to be distributed to the county law enforcement agency
19 or municipal law enforcement agency that executed the warrant.
20 Money in the fund may be used solely for the purpose of covering the
21 cost to the agency of serving an arrest warrant described by this
22 subsection.

23 SECTION 2. (a) This Act takes effect September 1, 2003.

24 (b) The change in law made by this Act applies only to the

1 execution of an arrest warrant issued for a violation of a condition
2 of community supervision that occurs on or after September 1, 2003.
3 The execution of an arrest warrant issued for a violation of a
4 condition of community supervision that occurred before September
5 1, 2003, is covered by the law in effect when the violation
6 occurred, and the former law is continued in effect for that
7 purpose.