

By: Capelo

H.B. No. 1100

A BILL TO BE ENTITLED

AN ACT

relating to judge-imposed conditions of community supervision for certain defendants.

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

SECTION 1. Section 11(a), Article 42.12, Code of Criminal Procedure, is amended to read as follows:

(a) The judge of the court having jurisdiction of the case shall determine the conditions of community supervision and may, at any time, during the period of community supervision alter or modify the conditions. The judge may impose any reasonable condition that is designed to protect or restore the community, protect or restore the victim, or punish, rehabilitate, or reform the defendant. Conditions of community supervision may include, but shall not be limited to, the conditions that the defendant shall:

(1) Commit no offense against the laws of this State or of any other State or of the United States;

(2) Avoid injurious or vicious habits;

(3) Avoid persons or places of disreputable or harmful character;

(4) Report to the supervision officer as directed by the judge or supervision officer and obey all rules and regulations of the community supervision and corrections department;

(5) Permit the supervision officer to visit him at his

1 home or elsewhere;

2 (6) Work faithfully at suitable employment as far as  
3 possible;

4 (7) Remain within a specified place;

5 (8) Pay his fine, if one be assessed, and all court  
6 costs whether a fine be assessed or not, in one or several sums;

7 (9) Support his dependents;

8 (10) Participate, for a time specified by the judge in  
9 any community-based program, including a community-service work  
10 program under Section 16 of this article;

11 (11) Reimburse the county in which the prosecution was  
12 instituted for compensation paid to appointed counsel for defending  
13 him in the case, if counsel was appointed, or if he was represented  
14 by a county-paid public defender, in an amount that would have been  
15 paid to an appointed attorney had the county not had a public  
16 defender;

17 (12) Remain under custodial supervision in a community  
18 corrections facility, obey all rules and regulations of such  
19 facility, and pay a percentage of his income to the facility for  
20 room and board;

21 (13) Pay a percentage of his income to his dependents  
22 for their support while under custodial supervision in a community  
23 corrections facility;

24 (14) Submit to testing for alcohol or controlled  
25 substances;

26 (15) Attend counseling sessions for substance abusers  
27 or participate in substance abuse treatment services in a program

1 or facility approved or licensed by the Texas Commission on Alcohol  
2 and Drug Abuse;

3 (16) With the consent of the victim of a misdemeanor  
4 offense or of any offense under Title 7, Penal Code, participate in  
5 victim-defendant mediation;

6 (17) Submit to electronic monitoring;

7 (18) Reimburse the general revenue fund for any  
8 amounts paid from that fund to a victim, as defined by Article 56.01  
9 of this code, of the defendant's offense or if no reimbursement is  
10 required, make one payment to the fund in an amount not to exceed  
11 \$50 if the offense is a misdemeanor or not to exceed \$100 if the  
12 offense is a felony;

13 (19) Reimburse a law enforcement agency for the  
14 analysis, storage, or disposal of raw materials, controlled  
15 substances, chemical precursors, drug paraphernalia, or other  
16 materials seized in connection with the offense;

17 (20) Pay all or part of the reasonable and necessary  
18 costs incurred by the victim for psychological counseling made  
19 necessary by the offense or for counseling and education relating  
20 to acquired immune deficiency syndrome or human immunodeficiency  
21 virus made necessary by the offense;

22 (21) Make one payment in an amount not to exceed \$50 to  
23 a crime stoppers organization as defined by Section 414.001,  
24 Government Code, and as certified by the Crime Stoppers Advisory  
25 Council;

26 (22) Submit a blood sample or other specimen to the  
27 Department of Public Safety under Subchapter G, Chapter 411,

1 Government Code, for the purpose of creating a DNA record of the  
2 defendant; and

3 (23) In any manner required by the judge, provide  
4 public notice of the offense for which the defendant was placed on  
5 community supervision in the county in which the offense was  
6 committed or in which the defendant resides.

7 SECTION 2. This Act takes effect September 1, 2003.