

By: Flynn

H.B. No. 2628

A BILL TO BE ENTITLED

AN ACT

relating to imposing a cost on conviction to reimburse counties for medical expenses incurred by jail inmates.

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

SECTION 1. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO REIMBURSE INMATE MEDICAL EXPENSES. (a) A defendant convicted of an offense in a justice court, county court, county court at law, district court, or municipal court shall pay a \$3 fee as a cost of court.

(b) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(c) The clerks of the respective courts shall collect the costs and pay them to the county treasurer or to any other official who discharges the duties commonly delegated to the county treasurer for deposit in a fund to be known as the inmate medical expense fund. A fund designated by this subsection may be used only to reimburse the county or a hospital district for medical, dental, or other health care-related services provided to inmates of the county jail.

1 (d) The inmate medical expense fund shall be administered by
2 or under the direction of the commissioners court.

3 (e) During the first month of the county's fiscal year, the
4 commissioners court shall determine if the amount of fees collected
5 under this article in the preceding year exceeded the actual
6 expenses incurred for inmate medical care. Any excess fees
7 collected during the previous year shall be allocated to the
8 county's general revenue fund.

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

10 (b) The imposition of a cost of court under Article 102.022,
11 Code of Criminal Procedure, as added by this Act, applies only to an
12 offense committed on or after the effective date of this Act. An
13 offense committed before the effective date of this Act is covered
14 by the law in effect when the offense was committed, and the former
15 law is continued in effect for that purpose. For purposes of this
16 subsection, an offense was committed before the effective date of
17 this Act if any element of the offense was committed before that
18 date.