

By: Staples

S.B. No. 727

A BILL TO BE ENTITLED

AN ACT

1
2 relating to compensating counties for the cost of appointing
3 attorneys to represent death row inmates in habeas corpus
4 proceedings.

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

6 SECTION 1. Subsections (a) and (b), Section 2A, Article
7 11.071, Code of Criminal Procedure, are amended to read as follows:

8 (a) The state shall reimburse a county for compensation of
9 counsel under Section 2 and payment of expenses under Section 3.
10 The total amount of reimbursement to which a county is entitled
11 under this section for an application under this article may not
12 exceed \$50,000 [~~\$25,000~~]. Compensation and expenses in excess of
13 the \$50,000 [~~\$25,000~~] reimbursement provided by the state are the
14 obligation of the county.

15 (b) A convicting court seeking reimbursement for a county
16 shall certify to the comptroller of public accounts the amount of
17 compensation that the county is entitled to receive under this
18 section. The comptroller of public accounts shall issue a warrant
19 to the county in the amount certified by the convicting court, not
20 to exceed \$50,000 [~~\$25,000~~].

21 SECTION 2. This Act takes effect September 1, 2003, but only
22 if the comptroller certifies on or before that date that at least \$2
23 million is appropriated by the General Appropriations Act, Acts of
24 the 78th Legislature, Regular Session, 2003, for the fiscal

1 biennium ending August 31, 2005, to the court of criminal appeals
2 for the purpose of providing compensation and expenses to counsel
3 representing persons under a sentence of death in habeas corpus
4 proceedings.