

1-1 By: Staples S.B. No. 727
1-2 (In the Senate - Filed February 27, 2003; March 3, 2003,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 May 12, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0; May 12, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 727 By: Hinojosa

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the payment of fees awarded to certain attorneys
1-11 appointed by a court to represent indigent inmates in capital
1-12 cases.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 403.074, Government Code, is amended by
1-15 amending Subsection (d) and adding Subsection (h) to read as
1-16 follows:

1-17 (d) Except as provided by Subsections [~~Subsection~~] (g) and
1-18 (h), the comptroller may not pay under this section a single claim
1-19 in excess of \$25,000, or an aggregate of claims by a single claimant
1-20 during a biennium in excess of \$25,000. For the purposes of this
1-21 subsection, all claims that were originally held by one person are
1-22 considered held by a single claimant regardless of whether those
1-23 claims were later transferred.

1-24 (h) The comptroller may pay under this section a single
1-25 claim in an amount not to exceed \$50,000 or an aggregate of claims
1-26 by a single claimant during a biennium in a total amount not to
1-27 exceed \$50,000 to cover the fees awarded to an attorney appointed by
1-28 a court under Section 26.051(g), Code of Criminal Procedure, to
1-29 represent an indigent inmate in a capital case.

1-30 SECTION 2. (a) This Act takes effect September 1, 2003.

1-31 (b) The change in law made by this Act applies only to an
1-32 award of attorney's fees on or after the effective date of this Act.
1-33 An award of attorney's fees made before the effective date of this
1-34 Act is covered by the law in effect on the date the award was made,
1-35 and the former law is continued in effect for that purpose.

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