

1-1 By: Whitmire S.B. No. 1881  
1-2 (In the Senate - Filed March 25, 2003; March 26, 2003, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 May 21, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 4, Nays 0; May 21, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1881 By: Whitmire

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

1-10 relating to a payment to a law enforcement and firefighter support  
1-11 organization as a condition of community supervision.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 11, Article 42.12, Code  
1-14 of Criminal Procedure, is amended to read as follows:

1-15 (a) The judge of the court having jurisdiction of the case  
1-16 shall determine the conditions of community supervision and may, at  
1-17 any time, during the period of community supervision alter or  
1-18 modify the conditions. The judge may impose any reasonable  
1-19 condition that is designed to protect or restore the community,  
1-20 protect or restore the victim, or punish, rehabilitate, or reform  
1-21 the defendant. Conditions of community supervision may include,  
1-22 but shall not be limited to, the conditions that the defendant  
1-23 shall:

1-24 (1) Commit no offense against the laws of this State or  
1-25 of any other State or of the United States;

1-26 (2) Avoid injurious or vicious habits;

1-27 (3) Avoid persons or places of disreputable or harmful  
1-28 character;

1-29 (4) Report to the supervision officer as directed by  
1-30 the judge or supervision officer and obey all rules and regulations  
1-31 of the community supervision and corrections department;

1-32 (5) Permit the supervision officer to visit him at his  
1-33 home or elsewhere;

1-34 (6) Work faithfully at suitable employment as far as  
1-35 possible;

1-36 (7) Remain within a specified place;

1-37 (8) Pay his fine, if one be assessed, and all court  
1-38 costs whether a fine be assessed or not, in one or several sums;

1-39 (9) Support his dependents;

1-40 (10) Participate, for a time specified by the judge,  
1-41 in any community-based program, including a community-service work  
1-42 program under Section 16 of this article;

1-43 (11) Reimburse the county in which the prosecution was  
1-44 instituted for compensation paid to appointed counsel for defending  
1-45 him in the case, if counsel was appointed, or if he was represented  
1-46 by a county-paid public defender, in an amount that would have been  
1-47 paid to an appointed attorney had the county not had a public  
1-48 defender;

1-49 (12) Remain under custodial supervision in a community  
1-50 corrections facility, obey all rules and regulations of such  
1-51 facility, and pay a percentage of his income to the facility for  
1-52 room and board;

1-53 (13) Pay a percentage of his income to his dependents  
1-54 for their support while under custodial supervision in a community  
1-55 corrections facility;

1-56 (14) Submit to testing for alcohol or controlled  
1-57 substances;

1-58 (15) Attend counseling sessions for substance abusers  
1-59 or participate in substance abuse treatment services in a program  
1-60 or facility approved or licensed by the Texas Commission on Alcohol  
1-61 and Drug Abuse;

1-62 (16) With the consent of the victim of a misdemeanor  
1-63 offense or of any offense under Title 7, Penal Code, participate in

2-1 victim-defendant mediation;  
2-2 (17) Submit to electronic monitoring;  
2-3 (18) Reimburse the general revenue fund for any  
2-4 amounts paid from that fund to a victim, as defined by Article 56.01  
2-5 of this code, of the defendant's offense or if no reimbursement is  
2-6 required, make one payment to the fund in an amount not to exceed  
2-7 \$50 if the offense is a misdemeanor or not to exceed \$100 if the  
2-8 offense is a felony;  
2-9 (19) Reimburse a law enforcement agency for the  
2-10 analysis, storage, or disposal of raw materials, controlled  
2-11 substances, chemical precursors, drug paraphernalia, or other  
2-12 materials seized in connection with the offense;  
2-13 (20) Pay all or part of the reasonable and necessary  
2-14 costs incurred by the victim for psychological counseling made  
2-15 necessary by the offense or for counseling and education relating  
2-16 to acquired immune deficiency syndrome or human immunodeficiency  
2-17 virus made necessary by the offense;  
2-18 (21) Make one payment in an amount not to exceed \$50  
2-19 to:  
2-20 (A) a crime stoppers organization as defined by  
2-21 Section 414.001, Government Code, and as certified by the Crime  
2-22 Stoppers Advisory Council; or  
2-23 (B) a nonprofit organization that provides  
2-24 financial assistance to dependents of certified peace officers and  
2-25 firefighters who are killed in the line of duty and that serves the  
2-26 county in which the court is located;  
2-27 (22) Submit a blood sample or other specimen to the  
2-28 Department of Public Safety under Subchapter G, Chapter 411,  
2-29 Government Code, for the purpose of creating a DNA record of the  
2-30 defendant; and  
2-31 (23) In any manner required by the judge, provide  
2-32 public notice of the offense for which the defendant was placed on  
2-33 community supervision in the county in which the offense was  
2-34 committed.  
2-35 SECTION 2. This Act takes effect September 1, 2003.

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