

By: Ellis

S.B. No. 37

A BILL TO BE ENTITLED

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AN ACT

relating to providing funds for the fair defense account.

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

SECTION 1. Section 133.003, Local Government Code, is amended to conform to Senate Bill No. 1704, Acts of the 79th Legislature, Regular Session, 2005, and amended to read as follows:

Sec. 133.003. CRIMINAL FEES. This chapter applies to the following criminal fees:

(1) the consolidated fee imposed under Section 133.102;

(2) the time payment fee imposed under Section 133.103;

(3) fees for services of peace officers employed by the state imposed under Article 102.011, Code of Criminal Procedure, and forwarded to the comptroller as provided by Section 133.104;

(4) costs on conviction imposed in certain statutory county courts under Section 51.702, Government Code, and deposited in the judicial fund;

(5) costs on conviction imposed in certain county courts under Section 51.703, Government Code, and deposited in the judicial fund;

(6) the administrative fee for failure to appear or failure to pay or satisfy a judgment imposed under Section 706.006,

1 Transportation Code; ~~and~~

2 (7) fines on conviction imposed under Section
3 621.506(g), Transportation Code;

4 (8) the fee imposed under Article 102.0045, Code of
5 Criminal Procedure; and

6 (9) the cost on conviction imposed under Section
7 133.105.

8 SECTION 2. Subchapter C, Chapter 133, Local Government
9 Code, is amended by adding Section 133.105 to read as follows:

10 Sec. 133.105. COURT COSTS TO SUPPORT PURPOSES OF FAIR
11 DEFENSE ACCOUNT. (a) A person convicted of any offense, other than
12 an offense relating to a pedestrian or the parking of a motor
13 vehicle, shall pay as a court cost, in addition to all other costs,
14 a fee of \$3 to be used for the support of indigent defense.

15 (b) The treasurer shall remit each fee collected under this
16 section to the comptroller for deposit in the fair defense account.

17 SECTION 3. Subchapter B, Chapter 102, Government Code, is
18 amended by adding Section 102.022 to read as follows:

19 Sec. 102.022. COURT COST ON CONVICTION TO SUPPORT PURPOSES
20 OF FAIR DEFENSE ACCOUNT. A person convicted of any offense, other
21 than an offense relating to a pedestrian or the parking of a motor
22 vehicle, shall pay a cost on conviction of \$3 under Section 133.105,
23 Local Government Code.

24 SECTION 4. The imposition of a cost of court under Section
25 133.105, Local Government Code, as added by this Act, applies only
26 to an offense committed on or after the effective date of this Act.
27 An offense committed before the effective date of this Act is

1 covered by the law in effect when the offense was committed, and the
2 former law is continued in effect for that purpose. For purposes of
3 this section, an offense was committed before the effective date of
4 this Act if any element of the offense was committed before that
5 date.

6 SECTION 5. This Act takes effect on the 91st day after the
7 last day of the legislative session.