

By: Uresti

H.B. No. 1857

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to costs attendant to certain child sexual assault and  
3 related convictions.

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

5 SECTION 1. Chapter 102, Code of Criminal Procedure, is  
6 amended by adding Article 102.0186 to read as follows:

7 Art. 102.0186. ADDITIONAL COSTS ATTENDANT TO CERTAIN CHILD  
8 SEXUAL ASSAULT AND RELATED CONVICTIONS. (a) A person convicted of  
9 an offense under Sections 21.11, 22.011(a)(2), 22.021(a)(1)(B),  
10 43.25, 43.251, or 43.26, Penal Code, shall pay \$100 on conviction of  
11 the offense.

12 (b) Costs imposed under this article are imposed without  
13 regard to whether the defendant is placed on community supervision  
14 after being convicted of the offense or receives deferred  
15 adjudication for the offense.

16 (c) The clerks of the respective courts shall collect the  
17 costs and pay them to the county treasurer or to any other official  
18 who discharges the duties commonly delegated to the county  
19 treasurer for deposit in a fund to be known as the county child  
20 abuse prevention fund. A fund designated by this subsection may be  
21 used only to fund child abuse prevention programs in the county  
22 where the court is located.

23 (d) The county child abuse prevention fund shall be  
24 administered by or under the direction of the commissioners court.

1           SECTION 2. Section 102.021, Government Code, is amended to  
2 read as follows:

3           Sec. 102.021. COURT COSTS ON CONVICTION. A person  
4 convicted of an offense shall pay, in addition to all other costs:

5                 (1) court costs on conviction of a felony (Sec.  
6 133.102, Local Government Code) . . . \$133;

7                 (2) court costs on conviction of a Class A or Class B  
8 misdemeanor (Sec. 133.102, Local Government Code) . . . \$83;

9                 (3) court costs on conviction of a nonjailable  
10 misdemeanor offense, including a criminal violation of a municipal  
11 ordinance, other than a conviction of an offense relating to a  
12 pedestrian or the parking of a motor vehicle (Sec. 133.102, Local  
13 Government Code) . . . \$40;

14                (4) court costs on certain convictions in statutory  
15 county courts (Sec. 51.702, Government Code) . . . \$15;

16                (5) court costs on certain convictions in certain  
17 county courts (Sec. 51.703, Government Code) . . . \$15;

18                (6) a time payment fee if convicted of a felony or  
19 misdemeanor for paying any part of a fine, court costs, or  
20 restitution on or after the 31st day after the date on which a  
21 judgment is entered assessing the fine, court costs, or restitution  
22 (Sec. 133.103, Local Government Code) . . . \$25;

23                (7) a fee for services of prosecutor (Art. 102.008,  
24 Code of Criminal Procedure) . . . \$25;

25                (8) fees for services of peace officer:

26                         (A) issuing a written notice to appear in court  
27 for certain violations (Art. 102.011, Code of Criminal

- 1 Procedure) . . . \$5;
- 2 (B) executing or processing an issued arrest  
3 warrant or capias (Art. 102.011, Code of Criminal  
4 Procedure) . . . \$50;
- 5 (C) summoning a witness (Art. 102.011, Code of  
6 Criminal Procedure) . . . \$5;
- 7 (D) serving a writ not otherwise listed (Art.  
8 102.011, Code of Criminal Procedure) . . . \$35;
- 9 (E) taking and approving a bond and, if  
10 necessary, returning the bond to courthouse (Art. 102.011, Code of  
11 Criminal Procedure) . . . \$10;
- 12 (F) commitment or release (Art. 102.011, Code of  
13 Criminal Procedure) . . . \$5;
- 14 (G) summoning a jury (Art. 102.011, Code of  
15 Criminal Procedure) . . . \$5;
- 16 (H) attendance of a prisoner in habeas corpus  
17 case if prisoner has been remanded to custody or held to bail (Art.  
18 102.011, Code of Criminal Procedure) . . . \$8 each day;
- 19 (I) mileage for certain services performed (Art.  
20 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and
- 21 (J) services of a sheriff or constable who serves  
22 process and attends examining trial in certain cases (Art. 102.011,  
23 Code of Criminal Procedure) . . . not to exceed \$5;
- 24 (9) services of a peace officer in conveying a witness  
25 outside the county (Art. 102.011, Code of Criminal  
26 Procedure) . . . \$10 per day or part of a day, plus actual  
27 necessary travel expenses;

1           (10) overtime of peace officer for time spent  
2 testifying in the trial or traveling to or from testifying in the  
3 trial (Art. 102.011, Code of Criminal Procedure) . . . actual  
4 cost;

5           (11) court costs on an offense relating to rules of the  
6 road, when offense occurs within a school crossing zone (Art.  
7 102.014, Code of Criminal Procedure) . . . \$25;

8           (12) court costs on an offense of passing a school bus  
9 (Art. 102.014, Code of Criminal Procedure) . . . \$25;

10          (13) court costs on an offense of truancy or  
11 contributing to truancy (Art. 102.014, Code of Criminal  
12 Procedure) . . . \$20;

13          (14) cost for visual recording of intoxication arrest  
14 before conviction (Art. 102.018, Code of Criminal  
15 Procedure) . . . \$15;

16          (15) cost of certain evaluations (Art. 102.018, Code  
17 of Criminal Procedure) . . . actual cost;

18          (16) additional costs attendant to certain  
19 intoxication convictions under Chapter 49, Penal Code, for  
20 emergency medical services, trauma facilities, and trauma care  
21 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;

22          (16A) additional costs attendant to certain child  
23 sexual assault and related convictions, for child abuse prevention  
24 programs (Art. 102.0186, Code of Criminal Procedure) . . . \$100;

25          (17) cost for DNA testing for certain felonies (Art.  
26 102.020, Code of Criminal Procedure) . . . \$250;

27          (18) court cost on an offense of public lewdness or

1 indecent exposure (Art. 102.020, Code of Criminal  
2 Procedure) . . . \$50;

3 (19) court cost on conviction of a misdemeanor under  
4 Subtitle C, Title 7, Transportation Code (Sec. 542.403,  
5 Transportation Code) . . . \$3;

6 (20) cost for impoundment of vehicle (Sec. 601.263,  
7 Transportation Code) . . . \$15 per day; and

8 (21) a civil and criminal enforcement cost on  
9 conviction of an offense of, or related to, the nonpayment of a toll  
10 in certain counties (Sec. 284.2031, Transportation Code) . . . \$1.

11 SECTION 3. The change in law made by this Act applies only  
12 to an offense committed on or after the effective date of this Act.  
13 An offense committed before the effective date of this Act is  
14 covered by the law in effect when the offense was committed, and the  
15 former law is continued in effect for that purpose. For purposes of  
16 this section, an offense was committed before the effective date of  
17 this Act if any element of the offense was committed before that  
18 date.

19 SECTION 4. This Act takes effect September 1, 2005.