

## **BILL ANALYSIS**

H.B. 1357  
By: Gattis  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law provides that a defendant required to pay fees under Article 102.011, Code of Criminal Procedure, shall also pay 29 cents per mile for the mileage required of a peace officer to perform a service listed in Article 102.011, Code of Criminal Procedure, and to return from performing that service. This current rate of reimbursement is substantially lower than the current state reimbursement mileage rate specified in the General Appropriations Act. House Bill 1357 sets mileage reimbursement rate at the state rate specified in the General Appropriations Act.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 1357 amends Article 102.011(b), Code of Criminal Procedure, by striking the current 29 cents per mile reimbursement rate and replacing it with a rate equal to the state mileage reimbursement rate specified in the General Appropriations Act.

The bill further provides that a change in law made by this Act applies only to fees imposed for an offense committed on or after the effective date of this Act and that fees imposed for an offense committed before the effective date of this Act are covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. The bill clarifies that an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

### **EFFECTIVE DATE**

September 1, 2007.