

By: Madden

H.B. No. 427

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of certain crimes occurring in the Texas Youth Commission.

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

SECTION 1. Article 104.003(a), Code of Criminal Procedure, is amended to read as follows:

(a) In a prosecution of a felony committed while the actor was a prisoner in the custody of the Texas Department of Criminal Justice or a person committed to the Texas Youth Commission [~~Corrections~~] or a prosecution of an offense committed in the department or in the Texas Youth Commission by any person under Section 38.11, Penal Code [~~Chapter 21, Acts of 55th Legislature, Regular Session, 1957 (Article 6184m, Vernon's Texas Civil Statutes)~~], [~~or~~] Chapter 481, Health and Safety Code, or Sections 485.031 through 485.035, Health and Safety Code, the state shall reimburse the county for expenses incurred by the county, in an amount that the court determines to be reasonable, for payment of:

(1) salaries and expenses of foreign language interpreters and interpreters for deaf persons whose services are necessary to the prosecution;

(2) consultation fees of experts whose assistance is directly related to the prosecution;

(3) travel expenses for witnesses;

(4) expenses for the food, lodging, and compensation

1 of jurors;

2 (5) compensation of witnesses;

3 (6) the cost of preparation of a statement of facts and  
4 a transcript of the trial for purposes of appeal;

5 (7) if the death of a person is an element of the  
6 offense, expenses of an inquest relating to the death;

7 (8) food, lodging, and travel expenses incurred by the  
8 prosecutor's staff during travel essential to the prosecution of  
9 the offense;

10 (9) court reporter's fees; and

11 (10) the cost of special security officers.

12 SECTION 2. Subchapter G, Chapter 61, Human Resources Code,  
13 is amended by adding Section 61.098 to read as follows:

14 Sec. 61.098. PROSECUTION OF CERTAIN CRIMES OCCURRING AT  
15 COMMISSION FACILITY. A county may request that the special  
16 prosecution unit prosecute an offense described under Article  
17 104.003(a), Code of Criminal Procedure, that occurs in a commission  
18 facility located in that county.

19 SECTION 3. This Act takes effect September 1, 2007.