

By: Gonzalez Toureilles

H.B. No. 3858

Substitute the following for H.B. No. 3858:

By: Pena

C.S.H.B. No. 3858

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a court cost to support the collection of fees, fines,
3 or court costs in criminal cases.

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

5 SECTION 1. Subchapter A, Chapter 102, Code of Criminal
6 Procedure, is amended by adding Article 102.0175 to read as
7 follows:

8 Art. 102.0175. COURT COSTS; COLLECTION FINE. (a) The
9 governing body of a county or municipality by order or ordinance may
10 require a defendant who is delinquent in paying a court cost on
11 conviction to pay as an additional court cost a fine of \$50 to be
12 used to support the collection of fees, fines, or costs of court in
13 criminal cases. The court cost under this subsection shall be
14 collected in the same manner that other fines and costs in the case
15 are collected.

16 (b) Any ordinance or order must authorize a judge or justice
17 to waive the fine in a case of financial hardship.

18 (c) In this article, a defendant is considered to be
19 delinquent in paying a court cost on conviction if the defendant
20 does not pay the court cost before the 60th day after the date the
21 cost was due.

22 SECTION 2. The change in law made by this Act applies only
23 to a cost on conviction for an offense committed on or after the
24 effective date of this Act. A cost on conviction for an offense

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

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