

Amend **HB 4061**, on third reading, as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.0184 to read as follows:

Art. 102.0184. ADDITIONAL COSTS ATTENDANT TO INTOXICATION CONVICTIONS: MEMORIAL SIGNS. (a) In addition to other costs on conviction imposed by this chapter, a person convicted of an offense under Section 49.04, 49.045, 49.07, or 49.08, Penal Code, that involved the operating of a motor vehicle and resulted in the death of another person shall pay a memorial sign fee not to exceed \$300 as a court cost on conviction of the offense.

(b) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person; or

(2) the person is placed on community supervision.

(c) A clerk of the court shall collect the costs and pay them to the comptroller for deposit to the credit of the memorial sign account established under Section 201.9095, Transportation Code.

SECTION _____. Subchapter K, Chapter 201, Transportation Code, is amended by adding Section 201.9095 to read as follows:

Sec. 201.9095. MEMORIAL SIGN ACCOUNT. The memorial sign account is created as a dedicated account in the general revenue fund of the state treasury. Money in the account may be appropriated only to the Texas Department of Transportation to pay costs incurred in posting memorial signs under Section 201.909.

SECTION _____. (a) Section 102.021, Government Code, is amended to conform to Chapter 1263 (**HB 3060**), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.021. COURT COSTS ON CONVICTION: CODE OF CRIMINAL PROCEDURE. A person convicted of an offense shall pay the following under the Code of Criminal Procedure, in addition to all other costs:

(1) court cost on conviction of any offense, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle (Art. 102.0045, Code of Criminal

Procedure) . . . \$4;

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

(3) fees for services of peace officer:

(A) issuing a written notice to appear in court for certain violations (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(B) executing or processing an issued arrest warrant, ~~or~~ capias, or capias pro fine (Art. 102.011, Code of Criminal Procedure) . . . \$50;

(C) summoning a witness (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(D) serving a writ not otherwise listed (Art. 102.011, Code of Criminal Procedure) . . . \$35;

(E) taking and approving a bond and, if necessary, returning the bond to courthouse (Art. 102.011, Code of Criminal Procedure) . . . \$10;

(F) commitment or release (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(G) summoning a jury (Art. 102.011, Code of Criminal Procedure) . . . \$5;

(H) attendance of a prisoner in habeas corpus case if prisoner has been remanded to custody or held to bail (Art. 102.011, Code of Criminal Procedure) . . . \$8 each day;

(I) mileage for certain services performed (Art. 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5;

(4) services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses;

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

(6) court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art.

102.014, Code of Criminal Procedure) . . . \$25;

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

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

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

(10) cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost;

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

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

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

(14) court cost on an offense of public lewdness or indecent exposure (Art. 102.020, Code of Criminal Procedure) . . . \$50;

(15) if required by the court, a restitution fee for costs incurred in collecting restitution installments and for the compensation to victims of crime fund (Art. 42.037, Code of Criminal Procedure) . . . \$12; ~~and~~

(16) if directed by the justice of the peace or municipal court judge hearing the case, court costs on conviction in a criminal action (Art. 45.041, Code of Criminal Procedure) . . . part or all of the costs as directed by the judge;

(17) costs attendant to convictions under Chapter 49, Penal Code, and under Chapter 481, Health and Safety Code, to help fund drug court programs established under Chapter 469, Health and Safety Code (Art. 102.0178, Code of Criminal Procedure) . . . \$50;
and

(18) costs attendant to convictions of certain

offenses under Chapter 49, Penal Code, for the memorial sign program under Section 201.909, Transportation Code (Art. 102.0184, Code of Criminal Procedure) . . . not to exceed \$300.

(b) Section 102.0215, Government Code, is repealed.

SECTION _____. The Texas Department of Transportation by rule shall ensure that a memorial sign posted under Section 201.909, Transportation Code, is released at the end of the one-year posting period to the person who requested the posting under Subsection (d) of that section, regardless of whether the person was required to submit a fee to help defray the costs of posting.

SECTION _____. Article 102.0184, Code of Criminal Procedure, as added by this Act, applies only to a cost on conviction for an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

(2) On page 11, lines 23 and 24 (second reading engrossment), strike "provided by Subsection (b) of this section, the change in law made by this Act applies" and substitute "otherwise provided by this Act, the changes in law made by this Act apply".