

By: Crownover

H.B. No. 590

A BILL TO BE ENTITLED

AN ACT

relating to the name of and eligibility criteria for appointment to the Crime Stoppers Advisory Council.

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

SECTION 1. The heading to Chapter 414, Government Code, is amended to read as follows:

CHAPTER 414. TEXAS CRIME STOPPERS [~~ADVISORY~~] COUNCIL

SECTION 2. Section 414.001(1), Government Code, is amended to read as follows:

(1) "Council" means the Texas Crime Stoppers [~~Advisory~~] Council.

SECTION 3. Section 414.002, Government Code, is amended by amending Subsection (a) and adding Subsection (b-1) to read as follows:

(a) The Texas Crime Stoppers [~~Advisory~~] Council is within the criminal justice division of the governor's office.

(b-1) A person is ineligible for appointment as a member of the council if the person has a campaign treasurer appointment on file with a local filing authority or with the Texas Ethics Commission in accordance with Chapter 252, Election Code.

SECTION 4. Article 37.073(c), Code of Criminal Procedure, is amended to read as follows:

(c) In this article, "crime stoppers organization" means a crime stoppers organization, as defined by Subdivision (2), Section

1 414.001, Government Code, that is approved by the Texas Crime
2 Stoppers [~~Advisory~~] Council to receive payments of rewards under
3 this article and Article 42.152 [~~of this code~~].

4 SECTION 5. Section 11(a), Article 42.12, Code of Criminal
5 Procedure, is amended to read as follows:

6 (a) The judge of the court having jurisdiction of the case
7 shall determine the conditions of community supervision and may, at
8 any time[~~7~~] during the period of community supervision, l alter or
9 modify the conditions. The judge may impose any reasonable
10 condition that is designed to protect or restore the community,
11 protect or restore the victim, or punish, rehabilitate, or reform
12 the defendant. Conditions of community supervision may include,
13 but shall not be limited to, the conditions that the defendant
14 shall:

15 (1) Commit no offense against the laws of this State or
16 of any other State or of the United States;

17 (2) Avoid injurious or vicious habits;

18 (3) Avoid persons or places of disreputable or harmful
19 character;

20 (4) Report to the supervision officer as directed by
21 the judge or supervision officer and obey all rules and regulations
22 of the community supervision and corrections department;

23 (5) Permit the supervision officer to visit the
24 defendant at the defendant's home or elsewhere;

25 (6) Work faithfully at suitable employment as far as
26 possible;

27 (7) Remain within a specified place;

1 (8) Pay the defendant's fine, if one be assessed, and
2 all court costs whether a fine be assessed or not, in one or several
3 sums;

4 (9) Support the defendant's dependents;

5 (10) Participate, for a time specified by the judge in
6 any community-based program, including a community-service work
7 program under Section 16 of this article;

8 (11) Reimburse the county in which the prosecution was
9 instituted for compensation paid to appointed counsel for defending
10 the defendant in the case, if counsel was appointed, or if the
11 defendant was represented by a county-paid public defender, in an
12 amount that would have been paid to an appointed attorney had the
13 county not had a public defender;

14 (12) Remain under custodial supervision in a community
15 corrections facility, obey all rules and regulations of such
16 facility, and pay a percentage of the defendant's income to the
17 facility for room and board;

18 (13) Pay a percentage of the defendant's income to the
19 defendant's dependents for their support while under custodial
20 supervision in a community corrections facility;

21 (14) Submit to testing for alcohol or controlled
22 substances;

23 (15) Attend counseling sessions for substance abusers
24 or participate in substance abuse treatment services in a program
25 or facility approved or licensed by the Texas Commission on Alcohol
26 and Drug Abuse;

27 (16) With the consent of the victim of a misdemeanor

1 offense or of any offense under Title 7, Penal Code, participate in
2 victim-defendant mediation;

3 (17) Submit to electronic monitoring;

4 (18) Reimburse the compensation to victims of crime
5 fund for any amounts paid from that fund to or on behalf of a victim,
6 as defined by Article 56.32, of the defendant's offense or if no
7 reimbursement is required, make one payment to the compensation to
8 victims of crime fund in an amount not to exceed \$50 if the offense
9 is a misdemeanor or not to exceed \$100 if the offense is a felony;

10 (19) Reimburse a law enforcement agency for the
11 analysis, storage, or disposal of raw materials, controlled
12 substances, chemical precursors, drug paraphernalia, or other
13 materials seized in connection with the offense;

14 (20) Pay all or part of the reasonable and necessary
15 costs incurred by the victim for psychological counseling made
16 necessary by the offense or for counseling and education relating
17 to acquired immune deficiency syndrome or human immunodeficiency
18 virus made necessary by the offense;

19 (21) Make one payment in an amount not to exceed \$50 to
20 a crime stoppers organization as defined by Section 414.001,
21 Government Code, and as certified by the Texas Crime Stoppers
22 ~~[Advisory]~~ Council;

23 (22) Submit a DNA sample to the Department of Public
24 Safety under Subchapter G, Chapter 411, Government Code, for the
25 purpose of creating a DNA record of the defendant;

26 (23) In any manner required by the judge, provide
27 public notice of the offense for which the defendant was placed on

1 community supervision in the county in which the offense was
2 committed; and

3 (24) Reimburse the county in which the prosecution was
4 instituted for compensation paid to any interpreter in the case.

5 SECTION 6. Section 414.002(b-1), Government Code, as added
6 by this Act, applies only to a person who is appointed or
7 re-appointed to the Texas Crime Stoppers Council on or after the
8 effective date of this Act. A person appointed to the Crime Stoppers
9 Advisory Council before the effective date of this Act is governed
10 by the law in effect immediately before the effective date of this
11 Act, and the former law is continued in effect for that purpose.

12 SECTION 7. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2009.