

AN ACT

relating to certain costs used to fund drug court programs.

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

SECTION 1. Article 102.0178(a), Code of Criminal Procedure, is amended to read as follows:

(a) In addition to other costs on conviction imposed by this chapter, a person shall pay \$60 [~~\$50~~] as a court cost on conviction of an offense punishable as a Class B misdemeanor or any higher category of offense under:

(1) Chapter 49, Penal Code; or

(2) Chapter 481, Health and Safety Code.

SECTION 2. (a) Section 102.021, Government Code, is amended to conform to Chapter 1263 (H.B. 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,

1 Code of Criminal Procedure) . . . \$25;

2 (3) fees for services of peace officer:

3 (A) issuing a written notice to appear in court

4 for certain violations (Art. 102.011, Code of Criminal Procedure)

5 . . . \$5;

6 (B) executing or processing an issued arrest

7 warrant, ~~or~~ capias, or capias pro fine (Art. 102.011, Code of

8 Criminal Procedure) . . . \$50;

9 (C) summoning a witness (Art. 102.011, Code of

10 Criminal Procedure) . . . \$5;

11 (D) serving a writ not otherwise listed (Art.

12 102.011, Code of Criminal Procedure) . . . \$35;

13 (E) taking and approving a bond and, if

14 necessary, returning the bond to courthouse (Art. 102.011, Code of

15 Criminal Procedure) . . . \$10;

16 (F) commitment or release (Art. 102.011, Code of

17 Criminal Procedure) . . . \$5;

18 (G) summoning a jury (Art. 102.011, Code of

19 Criminal Procedure) . . . \$5;

20 (H) attendance of a prisoner in habeas corpus

21 case if prisoner has been remanded to custody or held to bail (Art.

22 102.011, Code of Criminal Procedure) . . . \$8 each day;

23 (I) mileage for certain services performed (Art.

24 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and

25 (J) services of a sheriff or constable who serves

26 process and attends examining trial in certain cases (Art. 102.011,

27 Code of Criminal Procedure) . . . not to exceed \$5;

1 (4) services of a peace officer in conveying a witness
2 outside the county (Art. 102.011, Code of Criminal Procedure) . . .
3 \$10 per day or part of a day, plus actual necessary travel expenses;

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

7 (6) court costs on an offense relating to rules of the
8 road, when offense occurs within a school crossing zone (Art.
9 102.014, Code of Criminal Procedure) . . . \$25;

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

12 (8) court costs on an offense of truancy or
13 contributing to truancy (Art. 102.014, Code of Criminal Procedure)
14 . . . \$20;

15 (9) cost for visual recording of intoxication arrest
16 before conviction (Art. 102.018, Code of Criminal Procedure) . . .
17 \$15;

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

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

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

27 (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; and

(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) . . . \$60.

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

SECTION 3. The change in law made by this Act applies only to 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.

SECTION 4. This Act takes effect September 1, 2009.

H.B. No. 666

President of the Senate

Speaker of the House

I certify that H.B. No. 666 was passed by the House on April 22, 2009, by the following vote: Yeas 147, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 666 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 666 on May 31, 2009, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 666

I certify that H.B. No. 666 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 666 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor