

By: Smith of Harris

H.B. No. 3615

Substitute the following for H.B. No. 3615:

By: Moody

C.S.H.B. No. 3615

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the payment of the costs associated with certain
3 conditions of bond.

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

5 SECTION 1. Article 17.44, Code of Criminal Procedure, is
6 amended by amending Subsection (c) and adding Subsection (e) to
7 read as follows:

8 (c) The magistrate may revoke the bond and order the
9 defendant arrested if the [If a] defendant:

10 (1) violates a condition of home confinement and
11 electronic monitoring;

12 (2) [] refuses to submit to a test for controlled
13 substances[] or submits to a test for controlled substances and
14 the test indicates the presence of a controlled substance in the
15 defendant's body; or

16 (3) fails to pay the costs of monitoring or testing for
17 controlled substances, if payment is ordered under Subsection (e)
18 as a condition of bond and the magistrate determines that the
19 defendant is not indigent and is financially able to make the
20 payments as ordered~~[, the magistrate may revoke the bond and order~~
21 ~~the defendant arrested].~~

22 (e) The cost of electronic monitoring or testing for
23 controlled substances under this article may be assessed as court
24 costs or ordered paid directly by the defendant as a condition of

1 bond.

2 SECTION 2. This Act takes effect September 1, 2009.