

Suspending limitations on conference committee  
jurisdiction, H.B. No. 1506 (Herrero/Hinojosa)

By: Herrero

H.R. No. 2949

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 81st Legislature, Regular Session, 2009, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 1506 (the imposition of  
6 conditions on certain defendants charged with an offense involving  
7 family violence) to consider and take action on the following  
8 matter:

9 House Rule 13, Sections 9(a)(3) and (4), are suspended to  
10 permit the committee to add new Subsections (h) and (i), Article  
11 17.49, Code of Criminal Procedure, to read as follows:

12 (h) If the magistrate determines that a defendant is  
13 indigent, the magistrate may, based on a sliding scale established  
14 by local rule, require the defendant to pay costs under Subsection  
15 (b)(2) or (3) in an amount that is less than the full amount of the  
16 costs associated with operating the global positioning monitoring  
17 system in relation to the defendant or providing the victim with an  
18 electronic receptor device.

19 (i) If an indigent defendant pays to an entity that operates  
20 a global positioning monitoring system the partial amount ordered  
21 by a magistrate under Subsection (h), the entity shall accept the  
22 partial amount as payment in full. The county in which the  
23 magistrate who enters an order under Subsection (h) is located is  
24 not responsible for payment of any costs associated with operating

1 the global positioning monitoring system in relation to an indigent  
2 defendant.

3       Explanation: This change is necessary to allow a magistrate,  
4 without obligating the county to pay any of the costs, to require an  
5 indigent defendant to pay, in an amount that is less than the full  
6 amount of those costs, costs associated with operating a global  
7 positioning monitoring system in relation to the defendant or with  
8 providing an electronic receptor device to the victim of the  
9 offense committed by the defendant.