

1-1 By: Carona S.B. No. 409  
1-2 (In the Senate - Filed January 6, 2009; February 17, 2009,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 April 20, 2009, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to fees charged by a justice of the peace for certain  
1-9 documents in a criminal case.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 118.124, Local Government Code, is  
1-12 amended to read as follows:

1-13 Sec. 118.124. PROHIBITED FEES. A justice of the peace is  
1-14 not entitled to a fee for:

1-15 (1) the examination of a paper or record in the  
1-16 justice's office;

1-17 (2) filing any process or document the justice issues  
1-18 that is returned to court;

1-19 (3) a motion or judgment on a motion for security for  
1-20 costs; ~~or~~

1-21 (4) taking or approving a bond for costs; or

1-22 (5) the first copy of a document in a criminal case  
1-23 issued to:

1-24 (A) a criminal defendant in the case;

1-25 (B) an attorney representing a criminal  
1-26 defendant in the case; or

1-27 (C) a prosecuting attorney.

1-28 SECTION 2. This Act takes effect immediately if it receives  
1-29 a vote of two-thirds of all the members elected to each house, as  
1-30 provided by Section 39, Article III, Texas Constitution. If this  
1-31 Act does not receive the vote necessary for immediate effect, this  
1-32 Act takes effect September 1, 2009.

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