

By: Carona

S.B. No. 411

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a restitution lien for the state to secure fines or  
3 costs in a misdemeanor case.

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

5 SECTION 1. Section 2(b), Article 42.22, Code of Criminal  
6 Procedure, is amended to read as follows:

7 (b) The state also has a restitution lien to secure the  
8 amount of:

9 (1) [~~amount of~~] fines or costs entered against a  
10 defendant in the judgment in a felony or misdemeanor criminal case;

11 (2) [~~amount of~~] reimbursement for costs of:

12 (A) confinement ordered under Article 42.038; or

13 (B) notice provided under Article 62.056 or  
14 62.201; and

15 (3) [~~amount of~~] damages incurred by the state as a  
16 result of the commission of an offense under Section 38.04, Penal  
17 Code, in which the defendant used a motor vehicle while the  
18 defendant was in flight.

19 SECTION 2. The change in law made by this Act applies only  
20 to a judgment in a criminal case for an offense committed on or  
21 after the effective date of this Act. A judgment in a criminal case  
22 for an offense committed before the effective date of this Act is  
23 governed by the law in effect when the offense was committed, and  
24 the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the  
2 effective date of this Act if any element of the offense occurred  
3 before that date.

4 SECTION 3. This Act takes effect September 1, 2009.