

1-1 By: Carona S.B. No. 411
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 28, 2009, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 28, 2009, sent to printer.)

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

1-8 relating to a restitution lien for the state to secure fines or
1-9 costs in a misdemeanor case.

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

1-11 SECTION 1. Subsection (b), Section 2, Article 42.22, Code
1-12 of Criminal Procedure, is amended to read as follows:

1-13 (b) The state also has a restitution lien to secure the
1-14 amount of:

1-15 (1) [~~amount of~~] fines or costs entered against a
1-16 defendant in the judgment in a felony or misdemeanor criminal case;

1-17 (2) [~~amount of~~] reimbursement for costs of:

1-18 (A) confinement ordered under Article 42.038; or

1-19 (B) notice provided under Article 62.056 or
1-20 62.201; and

1-21 (3) [~~amount of~~] damages incurred by the state as a
1-22 result of the commission of an offense under Section 38.04, Penal
1-23 Code, in which the defendant used a motor vehicle while the
1-24 defendant was in flight.

1-25 SECTION 2. The change in law made by this Act applies only
1-26 to a judgment in a criminal case for an offense committed on or
1-27 after the effective date of this Act. A judgment in a criminal case
1-28 for an offense committed before the effective date of this Act is
1-29 governed by the law in effect when the offense was committed, and
1-30 the former law is continued in effect for that purpose. For
1-31 purposes of this section, an offense was committed before the
1-32 effective date of this Act if any element of the offense occurred
1-33 before that date.

1-34 SECTION 3. This Act takes effect September 1, 2009.

1-35 * * * * *