

AN ACT

relating to conducting by electronic means a hearing to determine a defendant's ability to discharge certain fines and court costs.

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

SECTION 1. Article 43.03, Code of Criminal Procedure, is amended by adding Subsection (f) to read as follows:

(f) For purposes of a hearing described by Subsection (d), a defendant may be brought before the court in person or by means of an electronic broadcast system through which an image of the defendant is presented to the court. For purposes of this subsection, "electronic broadcast system" means a two-way electronic communication of image and sound between the defendant and the court and includes secure Internet videoconferencing.

SECTION 2. Article 45.046, Code of Criminal Procedure, is amended by adding Subsection (c) to read as follows:

(c) For purposes of a hearing described by Subsection (a), a defendant may be brought before the court in person or by means of an electronic broadcast system through which an image of the defendant is presented to the court. For purposes of this subsection, "electronic broadcast system" means a two-way electronic communication of image and sound between the defendant and the court and includes secure Internet videoconferencing.

SECTION 3. The change in law made by this Act applies only to a hearing held under Article 43.03 or 45.046, Code of Criminal

1 Procedure, on or after the effective date of this Act. A hearing  
2 held under Article 43.03 or 45.046, Code of Criminal Procedure,  
3 before the effective date of this Act is governed by the law in  
4 effect at the time of the hearing, and the former law is continued  
5 in effect for that purpose.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 414 passed the Senate on  
May 7, 2009, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 414 passed the House on  
May 26, 2009, by the following vote: Yeas 144, Nays 0, one present  
not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor