

## **BILL ANALYSIS**

H.B. 443  
By: Fletcher  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a defendant pays a fee of \$50 for a peace officer's services in executing or processing an arrest warrant, *capias*, or *capias pro fine*. The Travis County Commissioners Court determined that the actual cost of executing a criminal warrant in 2008 exceeded \$85 and that Travis County taxpayers bear nearly 40 percent of the costs for executing the warrants. These costs should be paid from warrant fee proceeds and not by the general public. H.B. 443 increases warrant fees from \$50 to \$75 in order to place the additional costs of executing warrants on the convicted defendant and to reduce the financial burden placed on Texas citizens.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 443 amends the Code of Criminal Procedure to increase from \$50 to \$75 the fee required to be paid by a defendant on conviction of a felony or misdemeanor for a peace officer's services in executing or processing an issued arrest warrant, *capias*, or *capias pro fine* performed in the case. The bill establishes that to the extent of any conflict its provisions prevail over another act of the 82nd Legislature, Regular Session, 2011, relating to nonsubstantive additions to and corrections in enacted codes.

H.B. 443 reenacts and amends Section 102.021, Government Code, as amended by Chapters 902 (H.B. 666) and 1209 (S.B. 727), Acts of the 81st Legislature, Regular Session, 2009, to make a conforming change.

### **EFFECTIVE DATE**

September 1, 2011.