

By: Darby

H.B. No. 809

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of certain fees collected for pretrial
3 intervention programs offered in a county.

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

5 SECTION 1. Article 102.0121, Code of Criminal Procedure, is
6 amended by amending Subsections (a) and (c) and adding Subsection
7 (d) to read as follows:

8 (a) A district attorney, criminal district attorney, or
9 county attorney may collect a fee in an amount not to exceed \$500 to
10 be used for the purposes provided by Subsection (d) [~~to reimburse a~~
11 ~~county for expenses, including expenses of the district attorney's,~~
12 ~~criminal district attorney's, or county attorney's office, related~~
13 ~~to a defendant's participation in a pretrial intervention program~~
14 ~~offered in that county)].~~

15 (c) Fees collected under this article shall be deposited in
16 the county treasury in a special fund to be administered by the
17 district attorney, criminal district attorney, or county attorney.
18 Approval of expenditures from the fund is at the sole discretion of
19 the attorney [~~used solely to administer the pretrial intervention~~
20 ~~program. An expenditure from the fund may be made only in~~
21 ~~accordance with a budget approved by the commissioners court)].~~

22 (d) A district attorney, criminal district attorney, or
23 county attorney shall use money in the fund to reimburse a county
24 for expenses, including expenses of the district attorney's,

1 criminal district attorney's, or county attorney's office, related
2 to a defendant's participation in a pretrial intervention program
3 offered in that county. The district attorney, criminal district
4 attorney, or county attorney may use any remaining amount to defray
5 the salaries and expenses of the prosecutor's office, but the
6 attorney may not use money in the fund to supplement the attorney's
7 own salary.

8 SECTION 2. This Act takes effect September 1, 2011.