

By: Smith of Tarrant

H.B. No. 934

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an administrative fee for defendants required by a
3 court to perform community service in lieu of serving a term of
4 confinement in county jail.

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

6 SECTION 1. Article 42.036, Code of Criminal Procedure, is
7 amended by adding Subsection (g) to read as follows:

8 (g) A court that requires a defendant to perform community
9 service under this article may order the defendant to pay to the
10 court an administrative fee, not to exceed \$50, to cover the cost of
11 administering this article. Section 51.607, Government Code, does
12 not apply to a fee ordered and collected under this subsection.

13 SECTION 2. Subchapter B, Chapter 103, Government Code, is
14 amended by adding Section 103.034 to read as follows:

15 Sec. 103.034. ADDITIONAL FEE IN CERTAIN CRIMINAL CASES. A
16 defendant shall pay an administrative fee not to exceed \$50 under
17 Article 42.036(g), Code of Criminal Procedure, to perform community
18 service in lieu of serving a term of confinement in a county jail,
19 if ordered by the court.

20 SECTION 3. The change in law made by this Act applies only
21 to a defendant convicted of an offense committed on or after the
22 effective date of this Act. A defendant convicted of an offense
23 committed before the effective date of this Act is covered by the
24 law in effect when the offense was committed, and the former law is

1 continued in effect for that purpose. For purposes of this section,
2 an offense was committed before the effective date of this Act if
3 any element of the offense occurred before that date.

4 SECTION 4. This Act takes effect September 1, 2011.