

By: Nash

H.B. No. 2285

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement from a person on community supervision
for the collection of certain materials used in an investigation

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

SECTION 1. Section 11(a), Article 42.12, Code of Criminal
Procedure, is amended to read as follows:

Art. 42.12 SECTION 11. Basic Conditions of Community
Supervision

Sec. 11. (a) The judge of the court having jurisdiction of
the case shall determine the conditions of community supervision
and may, at any time during the period of community supervision,
alter or modify the conditions. The judge may impose any reasonable
condition that is designed to protect or restore the community,
protect or restore the victim, or punish, rehabilitate, or reform
the defendant. Conditions of community supervision may include,
but shall not be limited to, the conditions that the defendant
shall:

(1) Commit no offense against the laws of this State or
of any other State or of the United States;

(2) Avoid injurious or vicious habits;

(3) Avoid persons or places of disreputable or harmful
character, including any person, other than a family member of the
defendant, who is an active member of a criminal street gang;

(4) Report to the supervision officer as directed by

1 the judge or supervision officer and obey all rules and regulations
2 of the community supervision and corrections department;

3 (5) Permit the supervision officer to visit the
4 defendant at the defendant's home or elsewhere;

5 (6) Work faithfully at suitable employment as far as
6 possible;

7 (7) Remain within a specified place;

8 (8) Pay the defendant's fine, if one is assessed, and
9 all court costs whether a fine is assessed or not, in one or several
10 sums;

11 (9) Support the defendant's dependents;

12 (10) Participate, for a time specified by the judge,
13 in any community-based program, including a community-service work
14 program under Section 16 of this article;

15 (11) Reimburse the county in which the prosecution was
16 instituted for compensation paid to appointed counsel for defending
17 the defendant in the case, if counsel was appointed, or if the
18 defendant was represented by a county-paid public defender, in an
19 amount that would have been paid to an appointed attorney had the
20 county not had a public defender;

21 (12) Remain under custodial supervision in a community
22 corrections facility, obey all rules and regulations of the
23 facility, and pay a percentage of the defendant's income to the
24 facility for room and board;

25 (13) Pay a percentage of the defendant's income to the
26 defendant's dependents for their support while under custodial
27 supervision in a community corrections facility;

1 (14) Submit to testing for alcohol or controlled
2 substances;

3 (15) Attend counseling sessions for substance abusers
4 or participate in substance abuse treatment services in a program
5 or facility approved or licensed by the Texas Commission on Alcohol
6 and Drug Abuse;

7 (16) with the consent of the victim of a misdemeanor
8 offense or of any offense under Title 7, Penal Code, participate in
9 victim-defendant mediation;

10 (17) Submit to electronic monitoring;

11 (18) Reimburse the compensation to victims of crime
12 fund for any amounts paid from that fund to or on behalf of a victim,
13 as defined by Article 56.32, of the defendant's offense or if no
14 reimbursement is required, make one payment to the compensation to
15 victims of crime fund in an amount not to exceed \$50 if the offense
16 is a misdemeanor or not to exceed \$100 if the offense is a felony;

17 (19) Reimburse a law enforcement agency for the
18 collection, analysis, storage, or disposal of raw materials,
19 controlled substances, chemical precursors, drug paraphernalia,
20 blood, or other materials seized in connection with the offense;

21 (20) Pay all or part of the reasonable and necessary
22 costs incurred by the victim for psychological counseling made
23 necessary by the offense or for counseling and education relating
24 to acquired immune deficiency syndrome or human immunodeficiency
25 virus made necessary by the offense;

26 (21) Make one payment in an amount not to exceed \$50 to
27 a crime stoppers organization as defined by Section 414.001,

1 Government Code, and as certified by the Texas Crime Stoppers
2 Council;

3 (22) Submit a DNA sample to the Department of Public
4 Safety under Subchapter G, Chapter 411, Government Code, for the
5 purpose of creating a DNA record of the defendant;

6 (23) In any manner required by the judge, provide
7 public notice of the offense for which the defendant was placed on
8 community supervision in the county in which the offense was
9 committed; and

10 (24) Reimburse the county in which the prosecution was
11 instituted for compensation paid to any interpreter in the case.