

By: Whitmire

S.B. No. 879

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a local community supervision and corrections
3 department monitoring certain conditions of bond and the
4 administrative fees associated with certain department services.

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

6 SECTION 1. Article 17.441, Code of Criminal Procedure, is
7 amended by adding Subsection (e) to read as follows:

8 (e) If a magistrate designates the community supervision
9 and corrections department serving the county in which the
10 defendant lives as the designated agency to verify installation of
11 the device and to monitor the device under Subsection (d), the
12 magistrate may require the defendant to pay a monthly
13 administrative fee under Section 76.015, Government Code, in lieu
14 of the fee otherwise required by Subsection (d). The defendant
15 shall pay the initial fee under Section 76.015, Government Code, at
16 the time the community supervision and corrections department
17 verifies the installation of the device.

18 SECTION 2. Section 76.015(c), Government Code, is amended
19 to read as follows:

20 (c) A department may assess a reasonable administrative fee
21 of not less than \$25 and not more than \$60 [~~\$40~~] per month on an
22 individual who participates in a department program or receives
23 department services and who is not paying a monthly fee under
24 Section 19, Article 42.12, Code of Criminal Procedure.

1 SECTION 3. Section 103.0211, Government Code, is amended to
2 read as follows:

3 Sec. 103.0211. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
4 CIVIL CASES: GOVERNMENT CODE. An accused or defendant, or a party
5 to a civil suit, as applicable, shall pay the following fees and
6 costs under the Government Code if ordered by the court or otherwise
7 required:

8 (1) a court reporter fee when testimony is taken:

9 (A) in a criminal court in Dallas County (Sec.
10 25.0593, Government Code) . . . \$3;

11 (B) in a county criminal court of appeals in
12 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

13 (C) in a county court at law in McLennan County
14 (Sec. 25.1572, Government Code) . . . \$3; and

15 (D) in a county criminal court in Tarrant County
16 (Sec. 25.2223, Government Code) . . . \$3;

17 (2) a court reporter service fee if the courts have
18 official court reporters (Sec. 51.601, Government Code) . . . \$15
19 or, in specified counties, \$30;

20 (3) a speedy trial filing fee in El Paso County (Sec.
21 54.745, Government Code) . . . \$100;

22 (4) costs for use of magistrate in Brazos County (Sec.
23 54.1116, Government Code) . . . not to exceed \$50;

24 (5) the costs of a criminal magistrate if the court
25 determines that the nonprevailing party is able to defray the
26 costs:

27 (A) in Bexar County (Sec. 54.913, Government

1 Code) . . . magistrate's fees;

2 (B) in Dallas County (Sec. 54.313, Government
3 Code) . . . magistrate's fees;

4 (C) in Lubbock County (Sec. 54.883, Government
5 Code) . . . magistrate's fees;

6 (D) in Tarrant County (Sec. 54.663, Government
7 Code) . . . magistrate's fees;

8 (E) in Travis County (Sec. 54.983, Government
9 Code) . . . magistrate's fees; and

10 (F) in Williamson County (Sec. 54.958,
11 Government Code) . . . expense of the magistrate;

12 (6) an administrative fee for participation in certain
13 community supervision programs (Sec. 76.015, Government Code)
14 . . . not less than \$25 and not more than \$60 [~~\$40~~] per month; and

15 (7) fee paid on filing a petition for an order of
16 nondisclosure of criminal history record information in certain
17 cases (Sec. 411.081, Government Code) . . . \$28.

18 SECTION 4. The changes in law made by this Act apply only to
19 a defendant charged with an offense committed on or after the
20 effective date of this Act. A defendant charged with an offense
21 committed before the effective date of this Act is governed by the
22 law in effect on the date the offense was committed, and the former
23 law is continued in effect for that purpose. For purposes of this
24 section, an offense was committed before the effective date of this
25 Act if any element of the offense occurred before that date.

26 SECTION 5. This Act takes effect September 1, 2011.