

1-1 By: Whitmire S.B. No. 879
1-2 (In the Senate - Filed February 23, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 14, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 14, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a local community supervision and corrections
1-9 department monitoring certain conditions of bond and the
1-10 administrative fees associated with certain department services.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Article 17.441, Code of Criminal Procedure, is
1-13 amended by adding Subsection (e) to read as follows:

1-14 (e) If a magistrate designates the community supervision
1-15 and corrections department serving the county in which the
1-16 defendant lives as the designated agency to verify installation of
1-17 the device and to monitor the device under Subsection (d), the
1-18 magistrate may require the defendant to pay a monthly
1-19 administrative fee under Section 76.015, Government Code, in lieu
1-20 of the fee otherwise required by Subsection (d). The defendant
1-21 shall pay the initial fee under Section 76.015, Government Code, at
1-22 the time the community supervision and corrections department
1-23 verifies the installation of the device.

1-24 SECTION 2. Subsection (c), Section 76.015, Government Code,
1-25 is amended to read as follows:

1-26 (c) A department may assess a reasonable administrative fee
1-27 of not less than \$25 and not more than ~~\$40~~ \$60 per month on an
1-28 individual who participates in a department program or receives
1-29 department services and who is not paying a monthly fee under
1-30 Section 19, Article 42.12, Code of Criminal Procedure.

1-31 SECTION 3. Section 103.0211, Government Code, is amended to
1-32 read as follows:

1-33 Sec. 103.0211. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
1-34 CIVIL CASES: GOVERNMENT CODE. An accused or defendant, or a party
1-35 to a civil suit, as applicable, shall pay the following fees and
1-36 costs under the Government Code if ordered by the court or otherwise
1-37 required:

1-38 (1) a court reporter fee when testimony is taken:
1-39 (A) in a criminal court in Dallas County (Sec.
1-40 25.0593, Government Code) . . . \$3;

1-41 (B) in a county criminal court of appeals in
1-42 Dallas County (Sec. 25.0594, Government Code) . . . \$3;

1-43 (C) in a county court at law in McLennan County
1-44 (Sec. 25.1572, Government Code) . . . \$3; and

1-45 (D) in a county criminal court in Tarrant County
1-46 (Sec. 25.2223, Government Code) . . . \$3;

1-47 (2) a court reporter service fee if the courts have
1-48 official court reporters (Sec. 51.601, Government Code) . . . \$15
1-49 or, in specified counties, \$30;

1-50 (3) a speedy trial filing fee in El Paso County (Sec.
1-51 54.745, Government Code) . . . \$100;

1-52 (4) costs for use of magistrate in Brazos County (Sec.
1-53 54.1116, Government Code) . . . not to exceed \$50;

1-54 (5) the costs of a criminal magistrate if the court
1-55 determines that the nonprevailing party is able to defray the
1-56 costs:

1-57 (A) in Bexar County (Sec. 54.913, Government
1-58 Code) . . . magistrate's fees;

1-59 (B) in Dallas County (Sec. 54.313, Government
1-60 Code) . . . magistrate's fees;

1-61 (C) in Lubbock County (Sec. 54.883, Government
1-62 Code) . . . magistrate's fees;

1-63 (D) in Tarrant County (Sec. 54.663, Government
1-64 Code) . . . magistrate's fees;

2-1 (E) in Travis County (Sec. 54.983, Government
2-2 Code) . . . magistrate's fees; and

2-3 (F) in Williamson County (Sec. 54.958,
2-4 Government Code) . . . expense of the magistrate;

2-5 (6) an administrative fee for participation in certain
2-6 community supervision programs (Sec. 76.015, Government Code)
2-7 . . . not less than \$25 and not more than \$60 [~~\$40~~] per month; and

2-8 (7) fee paid on filing a petition for an order of
2-9 nondisclosure of criminal history record information in certain
2-10 cases (Sec. 411.081, Government Code) . . . \$28.

2-11 SECTION 4. The changes in law made by this Act apply only to
2-12 a defendant charged with an offense committed on or after the
2-13 effective date of this Act. A defendant charged with an offense
2-14 committed before the effective date of this Act is governed by the
2-15 law in effect on the date the offense was committed, and the former
2-16 law is continued in effect for that purpose. For purposes of this
2-17 section, an offense was committed before the effective date of this
2-18 Act if any element of the offense occurred before that date.

2-19 SECTION 5. This Act takes effect September 1, 2011.

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