

By: Ogden

S.B. No. 994

A BILL TO BE ENTITLED

AN ACT

relating to imposing costs on conviction in certain drug cases to support law enforcement.

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

SECTION 1. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.0179 to read as follows:

Art. 102.0179. ADDITIONAL COSTS ATTENDANT TO CERTAIN DRUG CONVICTIONS: LAW ENFORCEMENT FEE. (a) A person convicted of an offense punishable as a misdemeanor under Chapter 481, Health and Safety Code, shall pay \$100 on conviction of the offense.

(b) A person convicted of an offense punishable as a felony under Chapter 481, Health and Safety Code, shall pay \$200 on conviction of the offense.

(c) Costs imposed under this article are imposed without regard to whether the defendant is placed on community supervision after being convicted of the offense or receives deferred disposition or deferred adjudication for the offense.

(d) The officer collecting the costs under this article shall keep separate records of the money collected and shall pay the money to the custodian of the municipal or county treasury.

(e) The custodian of the municipal or county treasury shall:

(1) keep records of the amount of money collected under this article that is deposited with the treasury under this

1 article; and

2 (2) not later than the last day of the first month
3 following each calendar quarter:

4 (A) pay the money collected under this article
5 during the preceding calendar quarter to the comptroller; or

6 (B) if, in the calendar quarter, the custodian of
7 the municipal or county treasury did not receive any money
8 attributable to costs paid under this article, file a report with
9 the comptroller stating that fact.

10 (f) The comptroller shall deposit the money collected under
11 this article in the state treasury to the credit of the general
12 revenue fund to be used for law enforcement purposes.

13 SECTION 2. Subchapter B, Chapter 102, Government Code, is
14 amended by adding Section 102.0217 to read as follows:

15 Sec. 102.0217. ADDITIONAL COURT COSTS ON CONVICTION: CODE
16 OF CRIMINAL PROCEDURE. A person convicted of an offense under
17 Chapter 481, Health and Safety Code, shall pay the following under
18 Article 102.0179, Code of Criminal Procedure, in addition to all
19 other costs, to be used for law enforcement purposes:

20 (1) court cost on conviction of a misdemeanor
21 offense . . . \$100; and

22 (2) court cost on conviction of a felony offense
23 . . . \$200.

24 SECTION 3. The change in law made by this Act applies only
25 to an offense committed on or after the effective date of this Act.
26 An offense committed before the effective date of this Act is
27 covered by the law in effect when the offense was committed, and the

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

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