

BILL ANALYSIS

S.B. 740
By: West
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that some defendants are often convicted of multiple counts of an offense or offenses in a single criminal action. These parties contend that since criminal court costs are a non-punitive recoument of the costs of judicial resources expended in connection with the trial of a case, the assessment of court costs on each count is unnecessary to recoup the costs of judicial resources expended in connection with the trial of the case. S.B. 740 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 740 amends the Code of Criminal Procedure to authorize a court, in a single criminal action in which a defendant is convicted of two or more offenses or of multiple counts of the same offense, to assess each court cost or fee only once against the defendant. The bill requires in such an action each court cost or fee the amount of which is determined according to the category of offense to be assessed using the highest category of offense that is possible based on the defendant's convictions. The bill establishes that its provisions do not apply to a single criminal action alleging only the commission of two or more offenses punishable by fine only for which a citation or notice to appear was issued under specified Transportation Code and Code of Criminal Procedure provisions, as applicable.

EFFECTIVE DATE

September 1, 2015.