

By: Fletcher

H.B. No. 121

A BILL TO BE ENTITLED

AN ACT

relating to an alternative means of payment of certain criminal fines and court costs.

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

SECTION 1. The heading to Chapter 103, Code of Criminal Procedure, is amended to read as follows:

CHAPTER 103. PAYMENT, COLLECTION, AND RECORDKEEPING

SECTION 2. Chapter 103, Code of Criminal Procedure, is amended by adding Article 103.0025 to read as follows:

Art. 103.0025. ALTERNATIVE PAYMENT PROCEDURE FOR CERTAIN FINES AND COSTS. (a) This article applies only to payment of:

(1) a fine and court costs associated with the alleged commission of a Class C misdemeanor by a defendant; and

(2) a judgment for fines and court costs of a defendant convicted of any offense, if a capias pro fine has been issued in the case.

(b) Notwithstanding any other provision of law, the court may adopt an alternative procedure for collecting an outstanding payment described by Subsection (a). Under the procedure, a peace officer making an arrest of a defendant:

(1) shall inform the defendant of:

(A) the possibility of making an immediate payment of the fine and related court costs by use of a credit or debit card; and

1 (B) the defendant's available alternatives to
2 making an immediate payment; and

3 (2) may accept, on behalf of the court, the defendant's
4 immediate payment of the fine and related court costs by use of a
5 credit or debit card, after which the peace officer must release the
6 defendant.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.