

By: Huberty

H.B. No. 1490

A BILL TO BE ENTITLED

AN ACT

relating to public school interventions and procedures for truancy.

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

SECTION 1. Article 4.14(g), Code of Criminal Procedure, is amended to read as follows:

(g) A municipality may enter into an agreement with a contiguous municipality or a municipality with boundaries that are within one-half mile of the municipality seeking to enter into the agreement to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

(1) all cases in which either municipality has jurisdiction under Subsection (a); and

(2) cases that arise under Section 821.022, Health and Safety Code~~[, or Section 25.094, Education Code]~~.

SECTION 2. Article 45.0216(g), Code of Criminal Procedure, is amended to read as follows:

(g) This article does not apply to any offense otherwise covered by:

(1) Chapter 106, Alcoholic Beverage Code; or

(2) Chapter 161, Health and Safety Code~~[, or~~

~~[(3) Section 25.094, Education Code]~~.

SECTION 3. Article 45.056(k), Code of Criminal Procedure,

1 is amended to read as follows:

2 (k) Subsections (i) and (j) do not apply to[+
3 [~~(1)~~] a part-time judge[~~+or~~
4 [~~(2)~~ a county judge of a county court that has one or
5 more appointed full-time magistrates under Section 54.1172,
6 Government Code].

7 SECTION 4. (a) Section 7.111(a), Education Code, as amended
8 by Chapters 339 (H.B. 2058) and 1217 (S.B. 1536), Acts of the 83rd
9 Legislature, Regular Session, 2013, is reenacted to read as
10 follows:

11 (a) The board shall provide for the administration of high
12 school equivalency examinations.

13 (b) Section 7.111(a-1), Education Code, is amended to
14 conform to the amendment of Section 7.111(a), Education Code, by
15 Chapter 1217 (S.B. 1536), Acts of the 83rd Legislature, Regular
16 Session, 2013, and is further amended to read as follows:

17 (a-1) A person who does not have a high school diploma may
18 take the examination in accordance with rules adopted by the board
19 if the person is:

20 (1) over 17 years of age;

21 (2) 16 years of age or older and:

22 (A) is enrolled in a Job Corps training program
23 under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801
24 et seq.), and its subsequent amendments;

25 (B) a public agency providing supervision of the
26 person or having custody of the person under a court order
27 recommends that the person take the examination; or

1 (C) is enrolled in the Texas Military
2 Department's [~~adjutant general's department's~~] Seaborne Challenge
3 Corps; or

4 (3) required to take the examination under a court
5 order issued under Section 54.0492(a)(1)(C), Family Code.

6 SECTION 5. Sections 25.091(a) and (b), Education Code, are
7 amended to read as follows:

8 (a) A peace officer serving as an attendance officer has the
9 following powers and duties concerning enforcement of compulsory
10 school attendance requirements:

11 (1) to investigate each case of a violation of
12 compulsory school attendance requirements referred to the peace
13 officer;

14 (2) to enforce compulsory school attendance
15 requirements by:

16 (A) applying truancy prevention measures and
17 progressive truancy interventions adopted under Section 25.0915 to
18 the student; and

19 (B) if the truancy prevention measures or
20 progressive truancy interventions fail to meaningfully address the
21 student's conduct, ~~+~~

22 [~~(i)~~] referring the student to a juvenile
23 court [~~or filing a complaint against the student in a county,~~
24 ~~justice, or municipal court~~] if the student has unexcused absences
25 for the amount of time specified under [~~Section 25.094 or under~~]
26 Section 51.03(b)(2), Family Code [~~, or~~

27 [~~(ii) filing a complaint in a county,~~

1 ~~justice, or municipal court against a parent who violates Section~~
2 ~~25.093];~~

3 (3) to serve court-ordered legal process;

4 (4) to review school attendance records for compliance
5 by each student investigated by the officer;

6 (5) to maintain an investigative record on each
7 compulsory school attendance requirement violation and related
8 court action and, at the request of a court, the board of trustees
9 of a school district, or the commissioner, to provide a record to
10 the individual or entity requesting the record;

11 (6) to make a home visit or otherwise contact the
12 parent of a student who is in violation of compulsory school
13 attendance requirements, except that a peace officer may not enter
14 a residence without the permission of the parent of a student
15 required under this subchapter to attend school or of the tenant or
16 owner of the residence except to lawfully serve court-ordered legal
17 process on the parent; and

18 (7) to take a student into custody with the permission
19 of the student's parent or in obedience to a court-ordered legal
20 process.

21 (b) An attendance officer employed by a school district who
22 is not commissioned as a peace officer has the following powers and
23 duties with respect to enforcement of compulsory school attendance
24 requirements:

25 (1) to investigate each case of a violation of the
26 compulsory school attendance requirements referred to the
27 attendance officer;

1 (2) to enforce compulsory school attendance
2 requirements by:

3 (A) applying truancy prevention measures and
4 progressive truancy interventions adopted under Section 25.0915 to
5 the student; and

6 (B) if the truancy prevention measures and
7 progressive truancy interventions fail to meaningfully address the
8 student's conduct, ~~+~~

9 ~~[(i)]~~ referring the student to a juvenile
10 court ~~[or filing a complaint against the student in a county,~~
11 ~~justice, or municipal court]~~ if the student has unexcused absences
12 for the amount of time specified under ~~[Section 25.094 or under]~~
13 Section 51.03(b)(2), Family Code~~+, and~~

14 ~~[(ii) filing a complaint in a county,~~
15 ~~justice, or municipal court against a parent who violates Section~~
16 ~~25.093];~~

17 (3) to monitor school attendance compliance by each
18 student investigated by the officer;

19 (4) to maintain an investigative record on each
20 compulsory school attendance requirement violation and related
21 court action and, at the request of a court, the board of trustees
22 of a school district, or the commissioner, to provide a record to
23 the individual or entity requesting the record;

24 (5) to make a home visit or otherwise contact the
25 parent of a student who is in violation of compulsory school
26 attendance requirements, except that the attendance officer may not
27 enter a residence without permission of the parent or of the owner

1 or tenant of the residence;

2 (6) at the request of a parent, to escort a student
3 from any location to a school campus to ensure the student's
4 compliance with compulsory school attendance requirements; and

5 (7) if the attendance officer has or is informed of a
6 court-ordered legal process directing that a student be taken into
7 custody and the school district employing the officer does not
8 employ its own police department, to contact the sheriff,
9 constable, or any peace officer to request that the student be taken
10 into custody and processed according to the legal process.

11 SECTION 6. Section 25.0915, Education Code, is amended to
12 read as follows:

13 Sec. 25.0915. TRUANCY PREVENTION MEASURES AND PROGRESSIVE
14 TRUANCY INTERVENTIONS; REFERRAL [~~AND FILING~~] REQUIREMENT. (a) A
15 school district shall adopt truancy prevention measures and
16 progressive truancy interventions for students who violate
17 compulsory attendance requirements that are designed to:

18 (1) address student conduct related to truancy in the
19 school setting; and

20 (2) minimize the need for referrals to juvenile court
21 for conduct described by Section 51.03(b)(2), Family Code [~~, and~~

22 [~~(3) minimize the filing of complaints in county,~~
23 ~~justice, and municipal courts alleging a violation of Section~~
24 ~~25.094]~~.

25 (b) Each referral to juvenile court for conduct described by
26 Section 51.03(b)(2), Family Code, [~~or complaint filed in county,~~
27 ~~justice, or municipal court alleging a violation by a student of~~

1 ~~Section 25.094~~] must:

2 (1) be accompanied by a statement from the student's
3 school certifying that:

4 (A) the school applied the truancy prevention
5 measures and the progressive truancy interventions adopted under
6 Subsection (a) to the student; and

7 (B) the truancy prevention measures and the
8 progressive truancy interventions failed to meaningfully address
9 the student's school attendance; and

10 (2) specify whether the student is eligible for or
11 receives special education services under Subchapter A, Chapter 29.

12 (c) A court shall dismiss a [~~complaint or~~] referral made by
13 a school district under this section that is not made in compliance
14 with Subsection (b).

15 SECTION 7. Subchapter C, Chapter 25, Education Code, is
16 amended by adding Section 25.0917 to read as follows:

17 Sec. 25.0917. PROGRESSIVE TRUANCY INTERVENTION SYSTEM. (a)
18 A system of progressive interventions for truancy adopted by a
19 school district under Section 25.0915 must include at least three
20 tiers of interventions.

21 (b) A school district shall apply the first tier of
22 interventions to a student who has at least three unexcused
23 absences within a school year, and shall apply successive tiers of
24 interventions to the student if the student continues to accumulate
25 unexcused absences following the application of the first tier
26 consequences.

27 (c) The first tier of progressive truancy interventions

1 must include:

2 (1) a conference with the student, the student's
3 parent or guardian, and an employee of the school that the student
4 attends and regularly scheduled follow-up meetings to assess the
5 student's progress; and

6 (2) an attendance contract, signed by the attendees of
7 the conference under Subdivision (1), that includes:

8 (A) a description of the attendance expectations
9 that the school has for the student;

10 (B) the period for which the contract is in
11 effect, not to exceed 45 days following the date the contract is
12 signed; and

13 (C) a description of the consequences that may be
14 imposed on the student if the student accumulates additional
15 absences or commits school offenses, which may include additional
16 disciplinary actions or a referral to juvenile court.

17 (d) At least one of the tiers of truancy interventions after
18 the first tier must include an individualized assessment of the
19 student by a school employee that:

20 (1) identifies the reasons that the student has
21 accumulated unexcused absences;

22 (2) refers the student to counseling, if necessary;
23 and

24 (3) refers the student to any services, including
25 school-sponsored or community-based services, that focus on
26 addressing the student's absences from school.

27 (e) The consequences imposed on a student who has

1 accumulated additional unexcused absences following the
2 application of the first tier of progressive truancy intervention
3 consequences may include:

4 (1) school-based community service;

5 (2) participation in a school-based restorative
6 justice program;

7 (3) referral to a school-based teen court;

8 (4) weekend courses designed to improve attendance and
9 behavior;

10 (5) if the student is eligible for or is receiving
11 special education services under Subchapter A, Chapter 29, from a
12 school district, or is covered by Section 504, Rehabilitation Act
13 of 1973 (29 U.S.C. Section 794), a full reevaluation under Section
14 29.004 or under Section 504 of the Rehabilitation Act of 1973, as
15 appropriate, or an assessment of the student's individualized
16 education program to address the causes of the student's unexcused
17 absences, as necessary; or

18 (6) if the student is not receiving special education
19 services from a school district, an initial evaluation for special
20 education services under Section 29.004 or under Section 504,
21 Rehabilitation Act of 1973 (29 U.S.C. Section 794), as appropriate.

22 SECTION 8. Sections 25.095(a) and (b), Education Code, are
23 amended to read as follows:

24 (a) A school district or open-enrollment charter school
25 shall notify a student's parent in writing at the beginning of the
26 school year that if the student is absent from school on 10 or more
27 days or parts of days within a six-month period in the same school

1 year, ~~[or on three or more days or parts of days within a four-week~~
2 ~~period.~~

3 ~~[(1) the student's parent is subject to prosecution~~
4 ~~under Section 25.093, and~~

5 ~~[(2)] the student is subject to [prosecution under~~
6 ~~Section 25.094 or to] referral to a juvenile court [in a county with~~
7 ~~a population of less than 100,000 for conduct that violates that~~
8 ~~section].~~

9 (b) A school district shall notify a student's parent if the
10 student has been absent from school, without excuse under Section
11 25.087, on three days or parts of days within a four-week period.
12 The notice must:

13 (1) inform the parent that:

14 (A) it is the parent's duty to monitor the
15 student's school attendance and require the student to attend
16 school; and

17 (B) the student is subject to referral to a
18 juvenile court if the student misses 10 or more days or parts of
19 days within a six-month period in the same school year ~~[the parent~~
20 ~~is subject to prosecution under Section 25.093]; and~~

21 (2) request a first-tier progressive truancy
22 intervention conference under Section 25.0917(c)(1) ~~[between~~
23 ~~school officials and the parent]~~ to discuss the absences.

24 SECTION 9. The heading to Section 25.0951, Education Code,
25 is amended to read as follows:

26 Sec. 25.0951. SCHOOL DISTRICT ~~[COMPLAINT OR]~~ REFERRAL FOR
27 TRUANCY ~~[FAILURE TO ATTEND SCHOOL]~~.

1 SECTION 10. Sections 25.0951(a) and (d), Education Code,
2 are amended to read as follows:

3 (a) If a student fails to attend school without excuse on 10
4 or more days or parts of days within a six-month period in the same
5 school year, a school district may, ~~[shall]~~ within 10 school days of
6 the student's 10th absence, ~~[+~~

7 ~~[(1) file a complaint against the student or the~~
8 ~~student's parent or both in a county, justice, or municipal court~~
9 ~~for an offense under Section 25.093 or 25.094, as appropriate, or~~
10 ~~refer the student to a juvenile court in a county with a population~~
11 ~~of less than 100,000 for conduct that violates Section 25.094; or~~

12 ~~[(2)]~~ refer the student to a juvenile court for
13 conduct indicating a need for supervision under Section
14 51.03(b)(2), Family Code.

15 (d) A court shall dismiss a ~~[complaint or]~~ referral made by
16 a school district under this section that is not made in compliance
17 with this section.

18 SECTION 11. Section 29.087(d), Education Code, is amended
19 to read as follows:

20 (d) A student is eligible to participate in a program
21 authorized by this section if:

22 (1) the student has been ordered by ~~[a court under~~
23 ~~Article 45.054, Code of Criminal Procedure, as added by Chapter~~
24 ~~1514, Acts of the 77th Legislature, Regular Session, 2001, or by]~~
25 the Texas Juvenile Justice Department ~~[Youth Commission]~~ to:

26 (A) participate in a preparatory class for the
27 high school equivalency examination; or

1 (B) take the high school equivalency examination
2 administered under Section 7.111; or

3 (2) the following conditions are satisfied:

4 (A) the student is at least 16 years of age at the
5 beginning of the school year or semester;

6 (B) the student is a student at risk of dropping
7 out of school, as defined by Section 29.081;

8 (C) the student and the student's parent or
9 guardian agree in writing to the student's participation;

10 (D) at least two school years have elapsed since
11 the student first enrolled in ninth grade and the student has
12 accumulated less than one third of the credits required to graduate
13 under the minimum graduation requirements of the district or
14 school; and

15 (E) any other conditions specified by the
16 department ~~[commissioner]~~.

17 SECTION 12. Section 51.02(15), Family Code, is amended to
18 read as follows:

19 (15) "Status offender" means a child who is accused,
20 adjudicated, or convicted for conduct that would not, under state
21 law, be a crime if committed by an adult, including:

22 (A) truancy under Section 51.03(b)(2);

23 (B) running away from home under Section
24 51.03(b)(3);

25 (C) a fineable only offense under Section
26 51.03(b)(1) transferred to the juvenile court under Section
27 51.08(b), but only if the conduct constituting the offense would

1 not have been criminal if engaged in by an adult;

2 (D) [~~failure to attend school under Section~~
3 ~~25.094, Education Code,~~

4 [~~(E)~~] a violation of standards of student conduct
5 as described by Section 51.03(b)(5);

6 (E) [~~(F)~~] a violation of a juvenile curfew
7 ordinance or order;

8 (F) [~~(G)~~] a violation of a provision of the
9 Alcoholic Beverage Code applicable to minors only; or

10 (G) [~~(H)~~] a violation of any other fineable only
11 offense under Section 8.07(a)(4) or (5), Penal Code, but only if the
12 conduct constituting the offense would not have been criminal if
13 engaged in by an adult.

14 SECTION 13. Section 51.03(b), Family Code, is amended to
15 read as follows:

16 (b) Conduct indicating a need for supervision is:

17 (1) subject to Subsection (f), conduct, other than a
18 traffic offense, that violates:

19 (A) the penal laws of this state of the grade of
20 misdemeanor that are punishable by fine only; or

21 (B) the penal ordinances of any political
22 subdivision of this state;

23 (2) the absence of a child on 10 or more days or parts
24 of days within a six-month period in the same school year [~~or on~~
25 ~~three or more days or parts of days within a four-week period from~~
26 ~~school~~];

27 (3) the voluntary absence of a child from the child's

1 home without the consent of the child's parent or guardian for a
2 substantial length of time or without intent to return;

3 (4) conduct prohibited by city ordinance or by state
4 law involving the inhalation of the fumes or vapors of paint and
5 other protective coatings or glue and other adhesives and the
6 volatile chemicals itemized in Section 485.001, Health and Safety
7 Code;

8 (5) an act that violates a school district's
9 previously communicated written standards of student conduct for
10 which the child has been expelled under Section 37.007(c),
11 Education Code;

12 (6) conduct that violates a reasonable and lawful
13 order of a court entered under Section 264.305;

14 (7) notwithstanding Subsection (a)(1), conduct
15 described by Section 43.02(a)(1) or (2), Penal Code; or

16 (8) notwithstanding Subsection (a)(1), conduct that
17 violates Section 43.261, Penal Code.

18 SECTION 14. Section 51.04(a), Family Code, is amended to
19 read as follows:

20 (a) This title covers the proceedings in all cases involving
21 the delinquent conduct or conduct indicating a need for supervision
22 engaged in by a person who was a child within the meaning of this
23 title at the time the person engaged in the conduct, and~~[, except as~~
24 ~~provided by Subsection (h),]~~ the juvenile court has exclusive
25 original jurisdiction over proceedings under this title.

26 SECTION 15. Section 58.106(a), Family Code, is amended to
27 read as follows:

1 (a) Except as otherwise provided by this section,
2 information contained in the juvenile justice information system is
3 confidential information for the use of the department and may not
4 be disseminated by the department except:

5 (1) with the permission of the juvenile offender, to
6 military personnel of this state or the United States;

7 (2) to a person or entity to which the department may
8 grant access to adult criminal history records as provided by
9 Section [411.083](#), Government Code;

10 (3) to a juvenile justice agency;

11 (4) to the Texas Juvenile Justice Department [~~Youth~~
12 ~~Commission and the Texas Juvenile Probation Commission~~] for
13 analytical purposes;

14 (5) to the office of independent ombudsman of the
15 Texas Juvenile Justice Department [~~Youth Commission~~]; and

16 (6) to a county, justice, or municipal court
17 exercising jurisdiction over a juvenile [~~, including a court~~
18 ~~exercising jurisdiction over a juvenile under Section [54.021](#)].~~

19 SECTION 16. Section [61.002](#)(a), Family Code, is amended to
20 read as follows:

21 (a) Except as provided by Subsection (b), this chapter
22 applies to a proceeding to enter a juvenile court order:

23 (1) for payment of probation fees under Section
24 [54.061](#);

25 (2) for restitution under Sections [54.041](#)(b) and
26 [54.048](#);

27 (3) for payment of graffiti eradication fees under

1 Section 54.0461;

2 (4) for community service under Section 54.044(b);

3 (5) for payment of costs of court under Section
4 54.0411 or other provisions of law;

5 (6) requiring the person to refrain from doing any act
6 injurious to the welfare of the child under Section 54.041(a)(1);

7 (7) enjoining contact between the person and the child
8 who is the subject of a proceeding under Section 54.041(a)(2);

9 (8) ordering a person living in the same household
10 with the child to participate in counseling under Section
11 54.041(a)(3);

12 (9) [~~requiring a parent or guardian of a child found to~~
13 ~~be truant to participate in an available program addressing truancy~~
14 ~~under Section 54.041(f)~~];

15 [~~(10)~~] requiring a parent or other eligible person to
16 pay reasonable attorney's fees for representing the child under
17 Section 51.10(e);

18 (10) [~~(11)~~] requiring the parent or other eligible
19 person to reimburse the county for payments the county has made to
20 an attorney appointed to represent the child under Section
21 51.10(j);

22 (11) [~~(12)~~] requiring payment of deferred prosecution
23 supervision fees under Section 53.03(d);

24 (12) [~~(13)~~] requiring a parent or other eligible
25 person to attend a court hearing under Section 51.115;

26 (13) [~~(14)~~] requiring a parent or other eligible
27 person to act or refrain from acting to aid the child in complying

1 with conditions of release from detention under Section 54.01(r);

2 (14) [~~(15)~~] requiring a parent or other eligible
3 person to act or refrain from acting under any law imposing an
4 obligation of action or omission on a parent or other eligible
5 person because of the parent's or person's relation to the child who
6 is the subject of a proceeding under this title;

7 (15) [~~(16)~~] for payment of fees under Section 54.0462;

8 or

9 (16) [~~(17)~~] for payment of the cost of attending an
10 educational program under Section 54.0404.

11 SECTION 17. Section 26.045(c), Government Code, is amended
12 to read as follows:

13 (c) Except as provided by Subsection [~~Subsections (d) and~~
14 (f)], a county court that is in a county with a criminal district
15 court does not have any criminal jurisdiction.

16 SECTION 18. Section 29.003(i), Government Code, is amended
17 to read as follows:

18 (i) A municipality may enter into an agreement with a
19 contiguous municipality or a municipality with boundaries that are
20 within one-half mile of the municipality seeking to enter into the
21 agreement to establish concurrent jurisdiction of the municipal
22 courts in the municipalities and provide original jurisdiction to a
23 municipal court in which a case is brought as if the municipal court
24 were located in the municipality in which the case arose, for:

25 (1) all cases in which either municipality has
26 jurisdiction under Subsection (a); and

27 (2) cases that arise under Section 821.022, Health and

1 Safety Code [~~, or Section 25.094, Education Code~~].

2 SECTION 19. Section 71.0352, Government Code, is amended to
3 read as follows:

4 Sec. 71.0352. JUVENILE DATE: JUSTICE, MUNICIPAL, AND
5 JUVENILE COURTS. As a component of the official monthly report
6 submitted to the Office of Court Administration of the Texas
7 Judicial System:

8 (1) justice and municipal courts shall report the
9 number of cases filed for a [~~the following offenses:~~

10 [~~(A) failure to attend school under Section~~
11 ~~25.094, Education Code;~~

12 [~~(B) parent contributing to nonattendance under~~
13 ~~Section 25.093, Education Code; and~~

14 [~~(C)] violation of a local daytime curfew~~

15 ordinance adopted under Section 341.905 or 351.903, Local
16 Government Code; and

17 (2) in cases in which a child fails to obey an order of
18 a justice or municipal court under circumstances that would
19 constitute contempt of court, the justice or municipal court shall
20 report the number of incidents in which the child is:

21 (A) referred to the appropriate juvenile court
22 for delinquent conduct as provided by Article 45.050(c)(1), Code of
23 Criminal Procedure, and Section 51.03(a)(2), Family Code; or

24 (B) held in contempt, fined, or denied driving
25 privileges as provided by Article 45.050(c)(2), Code of Criminal
26 Procedure.

27 SECTION 20. Section 103.021, Government Code, is amended to

1 read as follows:

2 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
3 CIVIL CASES: CODE OF CRIMINAL PROCEDURE. An accused or
4 defendant, or a party to a civil suit, as applicable, shall pay the
5 following fees and costs under the Code of Criminal Procedure if
6 ordered by the court or otherwise required:

7 (1) a personal bond fee (Art. [17.42](#), Code of Criminal
8 Procedure) . . . the greater of \$20 or three percent of the amount
9 of the bail fixed for the accused;

10 (2) cost of electronic monitoring as a condition of
11 release on personal bond (Art. [17.43](#), Code of Criminal Procedure)
12 . . . actual cost;

13 (3) a fee for verification of and monitoring of motor
14 vehicle ignition interlock (Art. [17.441](#), Code of Criminal
15 Procedure) . . . not to exceed \$10;

16 (3-a) costs associated with operating a global
17 positioning monitoring system as a condition of release on bond
18 (Art. [17.49\(b\)\(2\)](#), Code of Criminal Procedure) . . . actual costs,
19 subject to a determination of indigency;

20 (3-b) costs associated with providing a defendant's
21 victim with an electronic receptor device as a condition of the
22 defendant's release on bond (Art. [17.49\(b\)\(3\)](#), Code of Criminal
23 Procedure) . . . actual costs, subject to a determination of
24 indigency;

25 (4) repayment of reward paid by a crime stoppers
26 organization on conviction of a felony (Art. [37.073](#), Code of
27 Criminal Procedure) . . . amount ordered;

1 (5) reimbursement to general revenue fund for payments
2 made to victim of an offense as condition of community supervision
3 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50 for
4 a misdemeanor offense or \$100 for a felony offense;

5 (6) payment to a crime stoppers organization as
6 condition of community supervision (Art. 42.12, Code of Criminal
7 Procedure) . . . not to exceed \$50;

8 (7) children's advocacy center fee (Art. 42.12, Code
9 of Criminal Procedure) . . . not to exceed \$50;

10 (8) family violence center fee (Art. 42.12, Code of
11 Criminal Procedure) . . . \$100;

12 (9) community supervision fee (Art. 42.12, Code of
13 Criminal Procedure) . . . not less than \$25 or more than \$60 per
14 month;

15 (10) additional community supervision fee for certain
16 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per
17 month;

18 (11) for certain financially able sex offenders as a
19 condition of community supervision, the costs of treatment,
20 specialized supervision, or rehabilitation (Art. 42.12, Code of
21 Criminal Procedure) . . . all or part of the reasonable and
22 necessary costs of the treatment, supervision, or rehabilitation as
23 determined by the judge;

24 (12) fee for failure to appear for trial in a justice
25 or municipal court if a jury trial is not waived (Art. 45.026, Code
26 of Criminal Procedure) . . . costs incurred for impaneling the
27 jury;

1 (13) costs of certain testing, assessments, or
2 programs during a deferral period (Art. 45.051, Code of Criminal
3 Procedure) . . . amount ordered;

4 (14) special expense on dismissal of certain
5 misdemeanor complaints (Art. 45.051, Code of Criminal Procedure)
6 . . . not to exceed amount of fine assessed;

7 (15) an additional fee:

8 (A) for a copy of the defendant's driving record
9 to be requested from the Department of Public Safety by the judge
10 (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal
11 to the sum of the fee established by Section 521.048,
12 Transportation Code, and the state electronic Internet portal fee;

13 (B) as an administrative fee for requesting a
14 driving safety course or a course under the motorcycle operator
15 training and safety program for certain traffic offenses to cover
16 the cost of administering the article (Art. 45.0511(f)(1), Code of
17 Criminal Procedure) . . . not to exceed \$10; or

18 (C) for requesting a driving safety course or a
19 course under the motorcycle operator training and safety program
20 before the final disposition of the case (Art. 45.0511(f)(2), Code
21 of Criminal Procedure) . . . not to exceed the maximum amount of the
22 fine for the offense committed by the defendant;

23 (16) a request fee for teen court program (Art.
24 45.052, Code of Criminal Procedure) . . . \$20, if the court
25 ordering the fee is located in the Texas-Louisiana border region,
26 but otherwise not to exceed \$10;

27 (17) a fee to cover costs of required duties of teen

1 court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the
2 court ordering the fee is located in the Texas-Louisiana border
3 region, but otherwise \$10;

4 (18) a mileage fee for officer performing certain
5 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per
6 mile;

7 (19) certified mailing of notice of hearing date (Art.
8 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

9 (20) certified mailing of certified copies of an order
10 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,
11 plus postage;

12 (20-a) a fee to defray the cost of notifying state
13 agencies of orders of expungement (Art. 45.0216, Code of Criminal
14 Procedure) . . . \$30 per application;

15 ~~[(20-b) a fee to defray the cost of notifying state~~
16 ~~agencies of orders of expunction (Art. 45.055, Code of Criminal~~
17 ~~Procedure) . . . \$30 per application.]~~

18 (21) sight orders:

19 (A) if the face amount of the check or sight order
20 does not exceed \$10 (Art. 102.007, Code of Criminal Procedure)
21 . . . not to exceed \$10;

22 (B) if the face amount of the check or sight order
23 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of
24 Criminal Procedure) . . . not to exceed \$15;

25 (C) if the face amount of the check or sight order
26 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of
27 Criminal Procedure) . . . not to exceed \$30;

1 (D) if the face amount of the check or sight order
2 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of
3 Criminal Procedure) . . . not to exceed \$50; and

4 (E) if the face amount of the check or sight order
5 is greater than \$500 (Art. 102.007, Code of Criminal Procedure)
6 . . . not to exceed \$75;

7 (22) fees for a pretrial intervention program:

8 (A) a supervision fee (Art. 102.012(a), Code of
9 Criminal Procedure) . . . \$60 a month plus expenses; and

10 (B) a district attorney, criminal district
11 attorney, or county attorney administrative fee (Art. 102.0121,
12 Code of Criminal Procedure) . . . not to exceed \$500;

13 (23) parking fee violations for child safety fund in
14 municipalities with populations:

15 (A) greater than 850,000 (Art. 102.014, Code of
16 Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

17 (B) less than 850,000 (Art. 102.014, Code of
18 Criminal Procedure) . . . not to exceed \$5;

19 (24) an administrative fee for collection of fines,
20 fees, restitution, or other costs (Art. 102.072, Code of Criminal
21 Procedure) . . . not to exceed \$2 for each transaction; and

22 (25) a collection fee, if authorized by the
23 commissioners court of a county or the governing body of a
24 municipality, for certain debts and accounts receivable, including
25 unpaid fines, fees, court costs, forfeited bonds, and restitution
26 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30
27 percent of an amount more than 60 days past due.

1 SECTION 21. The following laws are repealed:

2 (1) Articles 45.054, 45.055, 45.056(e), and
3 102.014(d), Code of Criminal Procedure;

4 (2) Sections 25.085(f), 25.093, 25.094, 25.095(c),
5 25.0951(b) and (c), and 25.0952, Education Code;

6 (3) Sections 51.03(g), 51.04(h), 51.08(e), 54.021,
7 and 54.041(f), Family Code;

8 (4) Section 26.045(d), Government Code;

9 (5) Subchapter W, Chapter 54, Government Code; and

10 (6) Subchapter JJ, Chapter 54, Government Code.

11 SECTION 22. The changes in law made by this Act apply only
12 to an offense committed or conduct that occurs on or after the
13 effective date of this Act. An offense committed or conduct that
14 occurs before the effective date of this Act is governed by the law
15 in effect on the date the offense was committed or the conduct
16 occurred, and the former law is continued in effect for that
17 purpose. For purposes of this section, an offense is committed or
18 conduct occurs before the effective date of this Act if any element
19 of the offense or conduct occurs before the effective date.

20 SECTION 23. To the extent of any conflict, this Act prevails
21 over another Act of the 84th Legislature, Regular Session, 2015,
22 relating to nonsubstantive additions to and corrections in enacted
23 codes.

24 SECTION 24. This Act takes effect September 1, 2015.