

By: Minjarez, Deshotel

H.B. No. 1997

Substitute the following for H.B. No. 1997:

By: Moody

C.S.H.B. No. 1997

A BILL TO BE ENTITLED

AN ACT

relating to authorizing a fee for certain pretrial diversion programs.

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 102.0111 to read as follows:

Art. 102.0111. FEES FOR PRETRIAL DIVERSION PROGRAMS. A county pretrial services office may collect a supervision fee in an amount not to exceed \$60 each month from a defendant participating in a pretrial diversion program operated by that office. If the office determines that the defendant is indigent, the office may require the defendant to pay a fee of less than \$60 only in an amount the office determines would not cause undue hardship for the defendant. The defendant may be required to pay the fee under this article as a condition of participating in the program.

SECTION 2. Article 103.004, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) The custodian of the county treasury shall deposit in a special fund of the county treasury for the county pretrial services office serving the county money received from fees imposed under Article 102.0111, to be used only for the pretrial diversion program operated by that office.

SECTION 3. Subchapter B, Chapter 103, Government Code, is

1 amended by adding Section 103.02101 to read as follows:

2 Sec. 103.02101. ADDITIONAL FEE FOR PRETRIAL DIVERSION
3 PROGRAM: CODE OF CRIMINAL PROCEDURE. A defendant participating in
4 a pretrial diversion program operated by a county pretrial services
5 office shall, if required by the office, pay a supervision fee under
6 Article 102.0111, Code of Criminal Procedure, in an amount not to
7 exceed \$60 each month.

8 SECTION 4. The change in law made by this Act applies only
9 to a defendant who participates in a pretrial diversion program
10 that begins on or after the effective date of this Act. A defendant
11 who participates in a pretrial diversion program that begins before
12 the effective date of this Act is governed by the law in effect when
13 the program began, and the former law is continued in effect for
14 that purpose.

15 SECTION 5. This Act takes effect September 1, 2017.