

AN ACT

relating to the creation and administration of certain specialty court programs; authorizing fees.

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

SECTION 1. Section 124.003(b), Government Code, is amended to read as follows:

(b) A veterans treatment court program established under this chapter shall make, establish, and publish local procedures to ensure maximum participation of eligible defendants in the program [~~county or counties in which those defendants reside~~].

SECTION 2. Sections 124.006(a) and (d), Government Code, are amended to read as follows:

(a) A veterans treatment court program that accepts placement of a defendant may transfer responsibility for supervising the defendant's participation in the program to another veterans treatment court program that is located in the county where the defendant works or resides or in a county adjacent to the county where the defendant works or resides. The defendant's supervision may be transferred under this section only with the consent of both veterans treatment court programs and the defendant.

(d) If a defendant is charged with an offense in a county that does not operate a veterans treatment court program, the court in which the criminal case is pending may place the defendant in a

1 veterans treatment court program located in the county where the
2 defendant works or resides or in a county adjacent to the county
3 where the defendant works or resides, provided that a program is
4 operated in that county and the defendant agrees to the placement.
5 A defendant placed in a veterans treatment court program in
6 accordance with this subsection must agree to abide by all rules,
7 requirements, and instructions of the program.

8 SECTION 3. Subtitle K, Title 2, Government Code, is amended
9 by adding Chapter 130 to read as follows:

10 CHAPTER 130. JUVENILE FAMILY DRUG COURT PROGRAM

11 Sec. 130.001. JUVENILE FAMILY DRUG COURT PROGRAM

12 DEFINED. In this chapter, "juvenile family drug court program"
13 means a program that has the following essential characteristics:

14 (1) the integration of substance abuse treatment
15 services in the processing of cases and proceedings under Title 3,
16 Family Code;

17 (2) the use of a comprehensive case management
18 approach involving court-appointed case managers and
19 court-appointed special advocates to rehabilitate an individual
20 who is suspected of substance abuse and who resides with a child who
21 is the subject of a case filed under Title 3, Family Code;

22 (3) early identification and prompt placement of
23 eligible individuals who volunteer to participate in the program;

24 (4) comprehensive substance abuse needs assessment
25 and referrals to appropriate substance abuse treatment agencies for
26 participants;

27 (5) a progressive treatment approach with specific

1 requirements for participants to meet for successful completion of
2 the program;

3 (6) monitoring of abstinence through periodic
4 screening for alcohol or screening for controlled substances;

5 (7) ongoing judicial interaction with program
6 participants;

7 (8) monitoring and evaluation of program goals and
8 effectiveness;

9 (9) continuing interdisciplinary education for the
10 promotion of effective program planning, implementation, and
11 operation; and

12 (10) development of partnerships with public agencies
13 and community organizations.

14 Sec. 130.002. AUTHORITY TO ESTABLISH PROGRAM. The
15 commissioners court of a county may establish a juvenile family
16 drug court program for individuals who:

17 (1) are suspected by the Department of Family and
18 Protective Services or the court of having a substance abuse
19 problem; and

20 (2) reside in the home of a child who is the subject of
21 a case filed under Title 3, Family Code.

22 Sec. 130.003. PARTICIPANT PAYMENT FOR TREATMENT AND
23 SERVICES. A juvenile family drug court program may require a
24 participant to pay the cost of all treatment and services received
25 while participating in the program, based on the participant's
26 ability to pay.

27 Sec. 130.004. FUNDING. A county that creates a juvenile

1 family drug court under this chapter shall explore the possibility
2 of using court improvement project money to finance the juvenile
3 family drug court in the county. The county also shall explore the
4 availability of federal and state matching money to finance the
5 court.

6 SECTION 4. Article 102.0178(g), Code of Criminal Procedure,
7 is amended to read as follows:

8 (g) The comptroller shall deposit the funds received under
9 this article to the credit of the drug court account in the general
10 revenue fund to help fund drug court programs established under
11 Chapter 122, 123, 124, 125, [~~or~~] 129, or 130, Government Code, or
12 former law. The legislature shall appropriate money from the
13 account solely to the criminal justice division of the governor's
14 office for distribution to drug court programs that apply for the
15 money.

16 SECTION 5. Section 102.021, Government Code, is amended to
17 read as follows:

18 Sec. 102.021. COURT COSTS ON CONVICTION: CODE OF CRIMINAL
19 PROCEDURE. A person convicted of an offense shall pay the
20 following under the Code of Criminal Procedure, in addition to all
21 other costs:

22 (1) court cost on conviction of any offense, other
23 than a conviction of an offense relating to a pedestrian or the
24 parking of a motor vehicle (Art. 102.0045, Code of Criminal
25 Procedure) . . . \$4;

26 (2) a fee for services of prosecutor (Art. 102.008,
27 Code of Criminal Procedure) . . . \$25;

- 1 (3) fees for services of peace officer:
- 2 (A) issuing a written notice to appear in court
- 3 for certain violations (Art. 102.011, Code of Criminal Procedure)
- 4 . . . \$5;
- 5 (B) executing or processing an issued arrest
- 6 warrant, *capias*, or *capias pro fine* (Art. 102.011, Code of Criminal
- 7 Procedure) . . . \$50;
- 8 (C) summoning a witness (Art. 102.011, Code of
- 9 Criminal Procedure) . . . \$5;
- 10 (D) serving a writ not otherwise listed (Art.
- 11 102.011, Code of Criminal Procedure) . . . \$35;
- 12 (E) taking and approving a bond and, if
- 13 necessary, returning the bond to courthouse (Art. 102.011, Code of
- 14 Criminal Procedure) . . . \$10;
- 15 (F) commitment or release (Art. 102.011, Code of
- 16 Criminal Procedure) . . . \$5;
- 17 (G) summoning a jury (Art. 102.011, Code of
- 18 Criminal Procedure) . . . \$5;
- 19 (H) attendance of a prisoner in habeas corpus
- 20 case if prisoner has been remanded to custody or held to bail (Art.
- 21 102.011, Code of Criminal Procedure) . . . \$8 each day;
- 22 (I) mileage for certain services performed (Art.
- 23 102.011, Code of Criminal Procedure) . . . \$0.29 per mile; and
- 24 (J) services of a sheriff or constable who serves
- 25 process and attends examining trial in certain cases (Art. 102.011,
- 26 Code of Criminal Procedure) . . . not to exceed \$5;
- 27 (4) services of a peace officer in conveying a witness

1 outside the county (Art. 102.011, Code of Criminal Procedure) . . .
2 \$10 per day or part of a day, plus actual necessary travel expenses;
3 (5) overtime of peace officer for time spent
4 testifying in the trial or traveling to or from testifying in the
5 trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost;
6 (6) court costs on an offense relating to rules of the
7 road, when offense occurs within a school crossing zone (Art.
8 102.014, Code of Criminal Procedure) . . . \$25;
9 (7) court costs on an offense of passing a school bus
10 (Art. 102.014, Code of Criminal Procedure) . . . \$25;
11 (8) court costs on an offense of parent contributing
12 to student nonattendance (Art. 102.014, Code of Criminal Procedure)
13 . . . \$20;
14 (9) cost for visual recording of intoxication arrest
15 before conviction (Art. 102.018, Code of Criminal Procedure) . . .
16 \$15;
17 (10) cost of certain evaluations (Art. 102.018, Code
18 of Criminal Procedure) . . . actual cost;
19 (11) additional costs attendant to certain
20 intoxication convictions under Chapter 49, Penal Code, for
21 emergency medical services, trauma facilities, and trauma care
22 systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100;
23 (12) additional costs attendant to certain child
24 sexual assault and related convictions, for child abuse prevention
25 programs (Art. 102.0186, Code of Criminal Procedure) . . . \$100;
26 (13) court cost for DNA testing for certain felonies
27 (Art. 102.020(a)(1), Code of Criminal Procedure) . . . \$250;

1 (14) court cost for DNA testing for certain
2 misdemeanors and felonies (Art. 102.020(a)(2), Code of Criminal
3 Procedure) . . . \$50;

4 (15) court cost for DNA testing for certain felonies
5 (Art. 102.020(a)(3), Code of Criminal Procedure) . . . \$34;

6 (16) if required by the court, a restitution fee for
7 costs incurred in collecting restitution installments and for the
8 compensation to victims of crime fund (Art. 42.037, Code of
9 Criminal Procedure) . . . \$12;

10 (17) if directed by the justice of the peace or
11 municipal court judge hearing the case, court costs on conviction
12 in a criminal action (Art. 45.041, Code of Criminal Procedure)
13 . . . part or all of the costs as directed by the judge; and

14 (18) costs attendant to convictions under Chapter 49,
15 Penal Code, and under Chapter 481, Health and Safety Code, to help
16 fund drug court programs established under Chapter 122, 123, 124,
17 ~~or~~ 125, 129, or 130, Government Code, or former law (Art.
18 102.0178, Code of Criminal Procedure) . . . \$60.

19 SECTION 6. Subchapter B, Chapter 103, Government Code, is
20 amended by adding Section 103.02713 to read as follows:

21 Sec. 103.02713. ADDITIONAL MISCELLANEOUS FEES AND COSTS:
22 GOVERNMENT CODE. A participant in a juvenile family drug court
23 program shall pay, if ordered by the court or otherwise required, in
24 addition to any other fees or costs, a treatment and services fee in
25 an amount to cover the cost of all treatment and services received.

26 SECTION 7. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

H.B. No. 2481

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2481 was passed by the House on May 2, 2019, by the following vote: Yeas 139, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2481 on May 23, 2019, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2481 was passed by the Senate, with amendments, on May 19, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor