

By: Whitmire

S.B. No. 2188

A BILL TO BE ENTITLED

AN ACT

relating to community supervision.

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

SECTION 1. Article 5.08, Code of Criminal Procedure, is amended to read as follows:

Art. 5.08. MEDIATION IN FAMILY VIOLENCE CASES. Notwithstanding Article 26.13(g) or 42A.301(b)(12) [~~42A.301(15)~~], in a criminal prosecution arising from family violence, as that term is defined by Section 71.004, Family Code, a court shall not refer or order the victim or the defendant involved to mediation, dispute resolution, arbitration, or other similar procedures.

SECTION 2. Article 42A.052(a), Code of Criminal Procedure, is amended to read as follows:

(a) A judge who places a defendant on community supervision may authorize the supervision officer supervising the defendant or a magistrate appointed by the district courts in the county that give preference to criminal cases to modify the conditions of community supervision for the limited purposes [~~purpose~~] of:

(1) transferring the defendant to different programs within the community supervision continuum of programs and sanctions; or

(2) prioritizing the conditions ordered by the court according to:

1                    (A) the defendant's needs as determined by a risk  
2 and needs assessment; and

3                    (B) the defendant's progress under supervision.

4            SECTION 3. Articles [42A.301](#)(b) and (c), Code of Criminal  
5 Procedure, are amended to read as follows:

6            (b) Conditions of community supervision may include  
7 conditions requiring the defendant to:

8                    (1) commit no offense against the laws of this state or  
9 of any other state or of the United States;

10                   (2) ~~[avoid injurious or vicious habits,~~  
11 ~~[(3)] avoid persons or places of disreputable or~~  
12 ~~harmful character~~ to the extent indicated by the results of the  
13 assessment conducted under Subsection (a) and the evaluation  
14 conducted under Subsection (c) ~~[, including any person, other than~~  
15 ~~a family member of the defendant, who is an active member of a~~  
16 ~~criminal street gang];~~

17                   (3) ~~[(4)]~~ report to the supervision officer as  
18 directed by the judge or supervision officer and obey all rules and  
19 regulations of the community supervision and corrections  
20 department;

21                   (4) ~~[(5)]~~ permit the supervision officer to visit the  
22 defendant at the defendant's home or elsewhere;

23                   (5) ~~[(6)]~~ work faithfully at suitable employment to  
24 the extent possible;

25                   (6) ~~[(7)]~~ remain within a specified place;

26                   (7) ~~[(8)]~~ pay in one or more amounts:

27                            (A) the defendant's fine, if one is assessed; and

1 (B) all court costs, regardless of whether a fine  
2 is assessed;

3 (8) [~~(9)~~] ~~support the defendant's dependents,~~  
4 [~~(10)~~] ~~participate, for a period specified by the~~  
5 ~~judge, in any community-based program, including a community~~  
6 ~~service project under Article [42A.304](#);~~

7 [~~(11)~~] if the judge determines that the defendant has  
8 financial resources that enable the defendant to offset in part or  
9 in whole the costs of the legal services provided to the defendant  
10 in accordance with Article [1.051](#)(c) or (d), including any expenses  
11 and costs, reimburse the county in which the prosecution was  
12 instituted for the costs of the legal services in an amount that the  
13 judge finds the defendant is able to pay, except that the defendant  
14 may not be ordered to pay an amount that exceeds:

15 (A) the actual costs, including any expenses and  
16 costs, paid by the county for the legal services provided by an  
17 appointed attorney; or

18 (B) if the defendant was represented by a public  
19 defender's office, the actual amount, including any expenses and  
20 costs, that would have otherwise been paid to an appointed attorney  
21 had the county not had a public defender's office;

22 (9) [~~(12)~~] if under custodial supervision in a  
23 community corrections facility:

24 (A) remain under that supervision;

25 (B) obey all rules and regulations of the  
26 facility; and

27 (C) pay a percentage of the defendant's income

1 to:

2 (i) the facility for room and board; and

3 (ii) the defendant's dependents for their  
4 support during the period of custodial supervision;

5 (10) [~~13~~] submit to testing for alcohol or  
6 controlled substances but only if:

7 (A) the judge determines, based on the results of  
8 the assessment conducted under Subsection (a) and the evaluation  
9 conducted under Subsection (c), that testing is necessary to  
10 protect or restore the community or the victim or to punish,  
11 rehabilitate, or reform the defendant; or

12 (B) the defendant's offense was related to drug  
13 or alcohol abuse;

14 (11) [~~14~~] attend counseling sessions for substance  
15 abusers or participate in substance abuse treatment services in a  
16 program or facility approved or licensed by the Department of State  
17 Health Services but only if:

18 (A) the judge determines, based on the results of  
19 the assessment conducted under Subsection (a) and the evaluation  
20 conducted under Subsection (c), that counseling or treatment is  
21 necessary to protect or restore the community or the victim or to  
22 punish, rehabilitate, or reform the defendant; or

23 (B) the defendant's offense was related to drug  
24 or alcohol abuse;

25 (12) [~~15~~] with the consent of the victim of a  
26 misdemeanor offense or of any offense under Title 7, Penal Code,  
27 participate in victim-defendant mediation;

1           (13) [~~(16)~~] submit to electronic monitoring;

2           (14) [~~(17)~~] reimburse the compensation to victims of  
3 crime fund for any amounts paid from that fund to or on behalf of a  
4 victim, as defined by Article [56.32](#), of the offense or if no  
5 reimbursement is required, make one payment to the compensation to  
6 victims of crime fund in an amount not to exceed \$50 if the offense  
7 is a misdemeanor or not to exceed \$100 if the offense is a felony;

8           (15) [~~(18)~~] reimburse a law enforcement agency for the  
9 analysis, storage, or disposal of raw materials, controlled  
10 substances, chemical precursors, drug paraphernalia, or other  
11 materials seized in connection with the offense;

12           (16) [~~(19)~~] pay all or part of the reasonable and  
13 necessary costs incurred by the victim for psychological counseling  
14 made necessary by the offense or for counseling and education  
15 relating to acquired immune deficiency syndrome or human  
16 immunodeficiency virus made necessary by the offense;

17           (17) [~~(20)~~] make one payment in an amount not to  
18 exceed \$50 to a crime stoppers organization, as defined by Section  
19 [414.001](#), Government Code, and as certified by the Texas Crime  
20 Stoppers Council;

21           (18) [~~(21)~~] submit a DNA sample to the Department of  
22 Public Safety under Subchapter G, Chapter [411](#), Government Code, for  
23 the purpose of creating a DNA record of the defendant;

24           ~~[(22) in any manner required by the judge, provide in~~  
25 ~~the county in which the offense was committed public notice of the~~  
26 ~~offense for which the defendant was placed on community~~  
27 ~~supervision,] and~~

1           (19) [~~23~~] reimburse the county in which the  
2 prosecution was instituted for compensation paid to any interpreter  
3 in the case.

4           (c) Before the judge may require as a condition of community  
5 supervision that the defendant submit to testing for alcohol or  
6 controlled substances, attend counseling sessions for substance  
7 abuse, or receive treatment in a state-funded substance abuse  
8 treatment program, including an inpatient or outpatient program, a  
9 substance abuse felony program under Article [42A.303](#), or a program  
10 provided to the defendant while confined in a community corrections  
11 facility as defined by Article [42A.601](#), the judge must consider the  
12 results of an evaluation conducted to determine the appropriate  
13 type and level of treatment necessary to address the defendant's  
14 alcohol or drug dependency.

15           SECTION 4. Article [42A.303](#)(e), Code of Criminal Procedure,  
16 is amended to read as follows:

17           (e) The Department of State Health Services or the community  
18 supervision and corrections department supervising the defendant  
19 shall develop the continuum of care treatment plan described by  
20 Subsection (d)(1).

21           SECTION 5. Articles [42A.403](#)(d-1) and (e), Code of Criminal  
22 Procedure, are amended to read as follows:

23           (d-1) The judge shall waive the educational program  
24 requirement if the defendant successfully completes [~~equivalent~~]  
25 education at a residential treatment facility under Article  
26 [42A.4045](#).

27           (e) The judge shall set out in the judgment, as applicable:

1 (1) the finding of good cause for waiver; or

2 (2) the finding that the defendant has successfully  
3 completed ~~[equivalent]~~ education as provided by Article 42A.4045.

4 SECTION 6. Articles 42A.404(b-1) and (c), Code of Criminal  
5 Procedure, are amended to read as follows:

6 (b-1) The judge shall waive the educational program  
7 requirement if the defendant successfully completes ~~[equivalent]~~  
8 education at a residential treatment facility under Article  
9 42A.4045.

10 (c) The judge shall set out in the judgment, as applicable:

11 (1) the finding of good cause for waiver; or

12 (2) the finding that the defendant has successfully  
13 completed ~~[equivalent]~~ education as provided by Article 42A.4045.

14 SECTION 7. Articles 42A.4045(a) and (b), Code of Criminal  
15 Procedure, are amended to read as follows:

16 (a) A judge shall waive the educational requirement under  
17 Article 42A.403 or 42A.404 for a defendant who is required to  
18 receive treatment as a resident of a substance abuse treatment  
19 facility as a condition of community supervision if the defendant  
20 successfully completes ~~[equivalent]~~ education while the defendant  
21 is confined to the residential treatment facility.

22 (b) The Department of State Health Services shall approve  
23 ~~[equivalent]~~ education provided at substance abuse treatment  
24 facilities.

25 SECTION 8. Articles 42A.406(a) and (b-1), Code of Criminal  
26 Procedure, are amended to read as follows:

27 (a) If a defendant is required as a condition of community

1 supervision to attend an educational program under Article 42A.403  
2 or 42A.404, or if the court waives the educational program  
3 requirement under Article 42A.403 or the defendant successfully  
4 completes [~~equivalent~~] education under Article 42A.4045, the court  
5 clerk shall immediately report that fact to the Department of  
6 Public Safety, on a form prescribed by the department, for  
7 inclusion in the defendant's driving record. If the court grants  
8 an extension of time in which the defendant may complete the  
9 educational program under Article 42A.403, the court clerk shall  
10 immediately report that fact to the Department of Public Safety on a  
11 form prescribed by the department. The clerk's report under this  
12 subsection must include the beginning date of the defendant's  
13 community supervision.

14 (b-1) Upon release from a residential treatment facility at  
15 which the person successfully completed [~~equivalent~~] education  
16 under Article 42A.4045, at the request of the court clerk, the  
17 director of the residential treatment facility shall give notice to  
18 the Department of Public Safety for inclusion in the person's  
19 driving record.

20 SECTION 9. Articles 42A.651(a) and (c), Code of Criminal  
21 Procedure, are amended to read as follows:

22 (a) A judge may not order a defendant to make a payment as a  
23 term or condition of community supervision, except for:

24 (1) the payment of fines, court costs, or restitution  
25 to the victim;

26 (2) reimbursement of a county as described by Article  
27 42A.301(b)(8) [~~42A.301(11)~~]; or



1 (3) a payment ordered as a condition that relates  
2 personally to the rehabilitation of the defendant or that is  
3 otherwise expressly authorized by law.

4 (c) A judge may not impose a condition of community  
5 supervision requiring a defendant to reimburse a county for the  
6 costs of legal services as described by Article 42A.301(b)(8)  
7 [~~42A.301(11)~~] if the defendant has already satisfied that  
8 obligation under Article 26.05(g).

9 SECTION 10. Article 42A.655, Code of Criminal Procedure, is  
10 amended to read as follows:

11 Art. 42A.655. ABILITY TO PAY. (a) Notwithstanding any  
12 other provision of this chapter, the [The] court shall inquire as to  
13 whether the defendant has sufficient resources or income [consider  
14 the defendant's ability] to pay before ordering the defendant to  
15 make any payments under this chapter.

16 (b) For a defendant who is ordered to make payments under  
17 this chapter, the court shall reconsider whether the defendant has  
18 sufficient resources or income to pay:

19 (1) at least annually or at any time the defendant's  
20 financial status or required payments change in such a way that the  
21 defendant's ability to make a payment previously ordered by the  
22 court is substantially hindered; and

23 (2) at any hearing held under Article 42A.751(d).

24 (c) If the court determines that the defendant does not have  
25 sufficient resources or income to make any payment ordered by the  
26 court, including a payment required under Article 42A.652, the  
27 judge shall determine whether all or a portion of the payment should

1 be:

2 (1) required to be paid at a later date or in a  
3 specified portion at designated intervals;

4 (2) waived completely or partially under Article  
5 43.091 or 45.0491;

6 (3) discharged by performing community service under  
7 Article 42A.304 or 45.049, as applicable; or

8 (4) satisfied through any combination of methods under  
9 Subdivisions (1)-(3).

10 SECTION 11. Article 42A.701, Code of Criminal Procedure, is  
11 amended by amending Subsections (a), (b), and (d) and adding  
12 Subsections (b-1) and (c-1) to read as follows:

13 (a) At any time after the defendant's time served on  
14 community supervision plus time credits received under Article  
15 42A.702 equals [~~defendant has satisfactorily completed~~] one-third  
16 of the original community supervision period or two years [~~of~~  
17 ~~community supervision~~], whichever is less, the judge may reduce or  
18 terminate the period of community supervision.

19 (b) Once a defendant's time served on community supervision  
20 plus time credits received under Article 42A.702 equals [~~On~~  
21 ~~completion of~~] one-half of the original community supervision  
22 period or two years [~~of community supervision~~], whichever is more,  
23 the judge shall review the defendant's record and consider whether  
24 to reduce or terminate the period of community supervision, unless  
25 the defendant:

26 (1) is delinquent in paying required [~~costs, fines,~~  
27 ~~fees, or~~] restitution that the defendant has the ability to pay; or

1           (2) has not completed court-ordered counseling or  
2 treatment.

3           (b-1) The supervision officer shall notify the court not  
4 later than the 30th day after the date a defendant who at the time of  
5 the review required by Subsection (b) was delinquent in paying  
6 restitution or had not completed court-ordered counseling or  
7 treatment, completes the remaining court-ordered counseling or  
8 treatment and makes the delinquent restitution payments, as  
9 applicable. The court shall review the defendant's record and  
10 consider whether to reduce or terminate the period of community  
11 supervision.

12           (c-1) If, at the time a court conducts a review of a  
13 defendant's record under this article, the defendant has been  
14 compliant with the terms of community supervision for the preceding  
15 six months, the judge shall terminate the period of community  
16 supervision and discharge the defendant, unless the judge makes a  
17 finding that there is a substantial and compelling objective reason  
18 to deny early termination. Substantial and compelling reasons are  
19 limited to the following circumstances:

20           (1) the defendant has exhibited a pattern of behavior  
21 while on community supervision indicating the defendant would be a  
22 substantial risk to public safety, including major violations of  
23 conditions of community supervision or additional criminal  
24 convictions;

25           (2) there is verified objective evidence of  
26 substantial risk of harm to a victim of the offense for which the  
27 defendant is on community supervision;

1           (3) the defendant has threatened harm to another  
2 person;

3           (4) the defendant is a suspect in an active criminal  
4 investigation; or

5           (5) the defendant is the subject of a pending felony  
6 charge.

7           (d) If the judge determines that the defendant has not been  
8 compliant with the terms [~~failed to satisfactorily fulfill the~~  
9 ~~conditions~~] of community supervision for the preceding six months,  
10 or if the judge makes a finding under Subsection (c-1)(1) or (2),  
11 the judge shall advise the defendant in writing of the requirements  
12 for satisfactorily fulfilling those conditions. As soon as  
13 practicable after the 180th day after the date the judge advises the  
14 defendant under this subsection, but not later than the 270th day  
15 after that date, the judge shall review the defendant's record and  
16 again consider whether to reduce or terminate the period of  
17 community supervision.

18           SECTION 12. Articles 42A.702(a), (c), and (d), Code of  
19 Criminal Procedure, are amended to read as follows:

20           (a) This article applies only to a defendant who [+  
21           ~~(1)~~] is granted community supervision, including  
22 deferred adjudication community supervision, for an offense  
23 punishable as a state jail felony or a felony of the third degree,  
24 other than an offense:

25           (1) [~~(A)~~] included as a "reportable conviction or  
26 adjudication" under Article 62.001(5);

27           (2) [~~(B) involving family violence as defined by~~

1 ~~Section 71.004, Family Code,~~  
2 ~~[(C)]~~ under Section 20.03 or 28.02, Penal Code;  
3 or  
4 (3) ~~[(D)]~~ under Chapter 49, Penal Code~~+~~  
5 ~~[(2) is not delinquent in paying required costs,~~  
6 ~~finer, or fees; and~~  
7 ~~[(3) has fully satisfied any order to pay restitution~~  
8 ~~to a victim].~~

9 (c) A defendant is entitled to time credits toward the  
10 completion of the defendant's period of community supervision for  
11 the full payment of court costs, fines, attorney's fees, and  
12 restitution as follows:

- 13 (1) court costs: 60 ~~[15]~~ days;
- 14 (2) fines: 90 ~~[30]~~ days;
- 15 (3) attorney's fees: 90 ~~[30]~~ days; and
- 16 (4) restitution: 120 ~~[60]~~ days.

17 (d) A defendant is entitled to time credits toward the  
18 completion of the defendant's period of community supervision for  
19 the successful completion of treatment or rehabilitation programs  
20 as follows:

- 21 (1) parenting class or parental responsibility  
22 program: 90 ~~[30]~~ days;
- 23 (2) anger management program: 90 ~~[30]~~ days;
- 24 (3) life skills training program: 90 ~~[30]~~ days;
- 25 (4) vocational, technical, or career education or  
26 training program: 120 ~~[60]~~ days; ~~and~~
- 27 (5) alcohol or substance abuse counseling or

1 treatment: 120 [~~90~~] days; and  
2 (6) any other faith-based, volunteer, or  
3 community-based program ordered or approved by the court: 90 days.

4 SECTION 13. Article [42A.751\(i\)](#), Code of Criminal Procedure,  
5 is amended to read as follows:

6 (i) In a revocation hearing at which it is alleged only that  
7 the defendant violated the conditions of community supervision by  
8 failing to pay community supervision fees or court costs or by  
9 failing to pay the costs of legal services as described by Article  
10 [42A.301\(b\)\(8\)](#) [~~42A.301(11)~~], the state must prove by a  
11 preponderance of the evidence that the defendant was able to pay and  
12 did not pay as ordered by the judge.

13 SECTION 14. Section [103.021](#), Government Code, is amended to  
14 read as follows:

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

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

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

26 (3) a fee for verification of and monitoring of motor  
27 vehicle ignition interlock (Art. [17.441](#), Code of Criminal

1 Procedure) . . . not to exceed \$10;

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

6 (3-b) costs associated with providing a defendant's  
7 victim with an electronic receptor device as a condition of the  
8 defendant's release on bond (Art. [17.49\(b\)\(3\)](#), Code of Criminal  
9 Procedure) . . . actual costs, subject to a determination of  
10 indigency;

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

14 (5) reimbursement to general revenue fund for payments  
15 made to victim of an offense as condition of community supervision  
16 (Art. [42A.301\(b\)\(14\)](#) [~~[42A.301\(17\)](#)~~], Code of Criminal Procedure)  
17 . . . not to exceed \$50 for a misdemeanor offense or \$100 for a  
18 felony offense;

19 (6) payment to a crime stoppers organization as  
20 condition of community supervision (Art. [42A.301\(b\)\(17\)](#)  
21 [~~[42A.301\(20\)](#)~~], Code of Criminal Procedure) . . . not to exceed \$50;

22 (7) children's advocacy center fee (Art. [42A.455](#), Code  
23 of Criminal Procedure) . . . not to exceed \$50;

24 (8) family violence center fee (Art. [42A.504\(b\)](#), Code  
25 of Criminal Procedure) . . . \$100;

26 (9) community supervision fee (Art. [42A.652\(a\)](#), Code  
27 of Criminal Procedure) . . . not less than \$25 or more than \$60 per

1 month;

2           (10) additional community supervision fee for certain  
3 offenses (Art. [42A.653\(a\)](#), Code of Criminal Procedure) . . . \$5 per  
4 month;

5           (11) for certain financially able sex offenders as a  
6 condition of community supervision, the costs of treatment,  
7 specialized supervision, or rehabilitation (Art. [42A.452](#), Code of  
8 Criminal Procedure) . . . all or part of the reasonable and  
9 necessary costs of the treatment, supervision, or rehabilitation as  
10 determined by the judge;

11           (12) fee for failure to appear for trial in a justice  
12 or municipal court if a jury trial is not waived (Art. [45.026](#), Code  
13 of Criminal Procedure) . . . costs incurred for impaneling the  
14 jury;

15           (13) costs of certain testing, assessments, or  
16 programs during a deferral period (Art. [45.051](#), Code of Criminal  
17 Procedure) . . . amount ordered;

18           (14) special expense on dismissal of certain  
19 misdemeanor complaints (Art. [45.051](#), Code of Criminal Procedure)  
20 . . . not to exceed amount of fine assessed;

21           (15) an additional fee:

22                   (A) for a copy of the defendant's driving record  
23 to be requested from the Department of Public Safety by the judge  
24 (Art. [45.0511\(c-1\)](#), Code of Criminal Procedure) . . . amount equal  
25 to the sum of the fee established by Section [521.048](#),  
26 Transportation Code, and the state electronic Internet portal fee;

27                   (B) as an administrative fee for requesting a



1 driving safety course or a course under the motorcycle operator  
2 training and safety program for certain traffic offenses to cover  
3 the cost of administering the article (Art. 45.0511(f)(1), Code of  
4 Criminal Procedure) . . . not to exceed \$10; or

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

10 (16) a request fee for teen court program (Art.  
11 45.052, Code of Criminal Procedure) . . . \$20, if the court  
12 ordering the fee is located in the Texas-Louisiana border region,  
13 but otherwise not to exceed \$10;

14 (17) a fee to cover costs of required duties of teen  
15 court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the  
16 court ordering the fee is located in the Texas-Louisiana border  
17 region, but otherwise \$10;

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

21 (19) certified mailing of notice of hearing date (Art.  
22 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

23 (20) certified mailing of certified copies of an order  
24 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,  
25 plus postage;

26 (20-a) a fee to defray the cost of notifying state  
27 agencies of orders of expungement (Art. 45.0216, Code of Criminal

1 Procedure) . . . \$30 per application;

2 (21) sight orders:

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

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

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

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

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

18 (22) fees for a pretrial intervention program:

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

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

24 (23) parking fee violations for child safety fund in  
25 municipalities with populations:

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

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

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

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

12 (26) a cost on conviction for the truancy prevention  
13 and diversion fund (Art. 102.015, Code of Criminal Procedure) . . .  
14 \$2.

15 SECTION 15. Section 509.011(e), Government Code, is amended  
16 to read as follows:

17 (e) In establishing per diem payments authorized by  
18 Subsections (a)(1) and (a)(2), the division shall consider the  
19 amounts appropriated in the General Appropriations Act for basic  
20 supervision as sufficient to provide basic supervision in each year  
21 of the fiscal biennium. For purposes of funding distributed for a  
22 defendant described by Subsection (a)(1), the division shall adopt  
23 provisions to award additional per capita funding based on each  
24 felony defendant supervised by a department who receives a  
25 discharge following:

26 (1) the successful completion of the period of  
27 community supervision; or

1           (2) an early termination of community supervision  
2 under Article 42A.111 or 42A.701, Code of Criminal Procedure, as  
3 applicable.

4           SECTION 16. To the extent of any conflict, this Act prevails  
5 over another Act of the 86th Legislature, Regular Session, 2019,  
6 relating to nonsubstantive additions to and corrections in enacted  
7 codes.

8           SECTION 17. Section 509.011, Government Code, as amended by  
9 this Act, applies only to a payment based on an appropriation made  
10 for any state fiscal year beginning on or after September 1, 2020.

11           SECTION 18. (a) Except as provided by Subsection (b) of  
12 this section, the change in law made by this Act to Chapter 42A,  
13 Code of Criminal Procedure, applies to a person on community  
14 supervision on or after the effective date of this Act, regardless  
15 of whether the person was placed on community supervision before,  
16 on, or after the effective date of this Act.

17           (b) The change in law made by this Act to the amount of a  
18 time credit to which a defendant is entitled under Article  
19 42A.702(d), Code of Criminal Procedure, for successfully  
20 completing a treatment or rehabilitation program described by that  
21 article, applies only to a program that is completed on or after the  
22 effective date of this Act, regardless of whether the program began  
23 before, on, or after the effective date of this Act. The amount of a  
24 time credit for a program that was completed before the effective  
25 date of this Act is governed by the law in effect on the date the  
26 program was completed, and the former law is continued in effect for  
27 that purpose.

1 SECTION 19. This Act takes effect September 1, 2019.