

By: Perry

S.B. No. 157

A BILL TO BE ENTITLED

AN ACT

relating to the amount of the reimbursement fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, *capias*, or *capias pro fine*.

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

SECTION 1. Article 102.011(a), Code of Criminal Procedure, is amended to read as follows:

(a) A defendant convicted of a felony or a misdemeanor shall pay the following reimbursement fees to defray the cost of the services provided in the case by a peace officer:

(1) \$5 for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, or penal law of this state, or for making an arrest without a warrant;

(2) \$75 if the defendant is convicted of a felony, a Class A misdemeanor, or a Class B misdemeanor, or \$50 if the defendant is convicted only of a Class C misdemeanor, for executing or processing an issued arrest warrant, *capias*, or *capias pro fine*, with the fee imposed for the services of:

(A) the law enforcement agency that executed the arrest warrant or *capias*, if the agency requests of the court, not later than the 15th day after the date of the execution of the arrest warrant or *capias*, the imposition of the fee on conviction; or

(B) the law enforcement agency that processed the arrest warrant or capias, if:

(i) the arrest warrant or capias was not executed; or

(ii) the executing law enforcement agency failed to request the fee within the period required by Paragraph (A);

(3) \$5 for summoning a witness;

(4) \$35 for serving a writ not otherwise listed in this article;

(5) \$10 for taking and approving a bond and, if necessary, returning the bond to the courthouse;

(6) \$5 for commitment or release;

(7) \$5 for summoning a jury, if a jury is summoned; and

(8) \$8 for each day's attendance of a prisoner in a habeas corpus case if the prisoner has been remanded to custody or held to bail.

SECTION 2. The change in law made by this Act applies only to a fee imposed for the execution or processing of an arrest warrant, capias, or capias pro fine issued for an offense committed on or after the effective date of this Act. A fee imposed for the execution or processing of an arrest warrant, capias, or capias pro fine issued for an offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense

1 occurred before that date.

2 SECTION 3. This Act takes effect September 1, 2023.