

By: Campbell, King

S.B. No. 2009

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the compensation of counsel appointed to provide  
3 representation and services to indigent individuals in criminal and  
4 juvenile proceedings.

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

6 SECTION 1. Article 26.05(c), Code of Criminal Procedure, is  
7 amended to read as follows:

8 (c) Each fee schedule adopted shall state reasonable fixed  
9 rates or minimum and maximum hourly rates, taking into  
10 consideration reasonable and necessary overhead costs and the  
11 availability of qualified attorneys willing to accept the stated  
12 rates, and shall provide a form for the appointed counsel to itemize  
13 the types of services performed. No payment shall be made under  
14 this article until the form for itemizing the services performed is  
15 submitted to the judge presiding over the proceedings or, if the  
16 county operates a managed assigned counsel program under Article  
17 26.047, to the director of the program or the director's designee,  
18 and until the judge or the director or director's designee, as  
19 applicable, approves the payment. If the judge or the director or  
20 director's designee disapproves the requested amount of payment,  
21 the judge or the director or director's designee shall make written  
22 findings stating the amount of payment that the judge or the  
23 director or director's designee approves and each reason for  
24 approving an amount different from the requested amount. An

1 attorney whose request for payment is disapproved or is not  
2 otherwise acted on by the 60th day after the date the request for  
3 payment is submitted may appeal the disapproval or failure to act by  
4 filing a motion with the presiding judge of the administrative  
5 judicial region. On the filing of a motion, the presiding judge of  
6 the administrative judicial region shall review the disapproval of  
7 payment or failure to act and determine the appropriate amount of  
8 payment. In reviewing the disapproval or failure to act, the  
9 presiding judge of the administrative judicial region may conduct a  
10 hearing. Not later than the 45th day after the date an application  
11 for payment of a fee is submitted under this article, the  
12 commissioners court shall pay to the appointed counsel the amount  
13 that is approved by the presiding judge of the administrative  
14 judicial region and that is in accordance with the fee schedule for  
15 that county.

16 SECTION 2. Article [26.05\(c\)](#), Code of Criminal Procedure, as  
17 amended by this Act, applies only to expenses incurred by an  
18 attorney on or after the effective date of this Act.

19 SECTION 3. This Act takes effect September 1, 2025.