

1-1 By: Campbell, King S.B. No. 2009  
1-2 (In the Senate - Filed March 6, 2025; March 17, 2025, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 May 5, 2025, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; May 5, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Flores	X		
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the compensation of counsel appointed to provide  
1-18 representation and services to indigent individuals in criminal and  
1-19 juvenile proceedings.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Article 26.05(c), Code of Criminal Procedure, is  
1-22 amended to read as follows:

1-23 (c) Each fee schedule adopted shall state reasonable fixed  
1-24 rates or minimum and maximum hourly rates, taking into  
1-25 consideration reasonable and necessary overhead costs and the  
1-26 availability of qualified attorneys willing to accept the stated  
1-27 rates, and shall provide a form for the appointed counsel to itemize  
1-28 the types of services performed. No payment shall be made under  
1-29 this article until the form for itemizing the services performed is  
1-30 submitted to the judge presiding over the proceedings or, if the  
1-31 county operates a managed assigned counsel program under Article  
1-32 26.047, to the director of the program or the director's designee,  
1-33 and until the judge or the director or director's designee, as  
1-34 applicable, approves the payment. If the judge or the director or  
1-35 director's designee disapproves the requested amount of payment,  
1-36 the judge or the director or director's designee shall make written  
1-37 findings stating the amount of payment that the judge or the  
1-38 director or director's designee approves and each reason for  
1-39 approving an amount different from the requested amount. An  
1-40 attorney whose request for payment is disapproved or is not  
1-41 otherwise acted on by the 60th day after the date the request for  
1-42 payment is submitted may appeal the disapproval or failure to act by  
1-43 filing a motion with the presiding judge of the administrative  
1-44 judicial region. On the filing of a motion, the presiding judge of  
1-45 the administrative judicial region shall review the disapproval of  
1-46 payment or failure to act and determine the appropriate amount of  
1-47 payment. In reviewing the disapproval or failure to act, the  
1-48 presiding judge of the administrative judicial region may conduct a  
1-49 hearing. Not later than the 45th day after the date an application  
1-50 for payment of a fee is submitted under this article, the  
1-51 commissioners court shall pay to the appointed counsel the amount  
1-52 that is approved by the presiding judge of the administrative  
1-53 judicial region and that is in accordance with the fee schedule for  
1-54 that county.

1-55 SECTION 2. Article 26.05(c), Code of Criminal Procedure, as  
1-56 amended by this Act, applies only to expenses incurred by an  
1-57 attorney on or after the effective date of this Act.

1-58 SECTION 3. This Act takes effect September 1, 2025.

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