

## **BILL ANALYSIS**

Senate Research Center  
76R2140 GWK-D

H.B. 149  
By: Keel (Barrientos)  
Criminal Justice  
5/11/1999  
Engrossed

### **DIGEST**

Currently, an individual who files an application for a writ of habeas corpus may also be required to pay a filing fee. This bill would prohibit a clerk of a court from requiring a filing fee from a person who files an application or petition for a writ of habeas corpus.

### **PURPOSE**

As proposed, H.B. 149 prohibits the requisition of a filing fee for filing an application or petition for a writ of habeas corpus.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 11, Code of Criminal Procedure, by adding Article 11.051, as follows:

Art. 11.051. **FILING FEE PROHIBITED.** Prohibits a clerk of a court from requiring a filing fee from an individual who files an application or petition for a writ of habeas corpus, notwithstanding any other law.

SECTION 2. Emergency clause.  
Effective date: upon passage.