

## **BILL ANALYSIS**

Senate Research Center

S.B. 827  
By: Shapleigh  
Jurisprudence  
5/4/1999  
As Filed

### **DIGEST**

Currently, a person may be assessed certain fees for an arrest conducted by a peace officer. The fees contribute to the cost of processing and serving an arrest warrant. Occasionally, an individual does not pay his or her fees, in which case a municipality can only seek collection of the amounts owed through a civil court. But, prosecution tends to not be a cost-effective remedy. Therefore, many of the fees are not collected. If, however, a defendant was required to pay the fees when he or she posted bond, rather than after conviction, the collection rates might improve. S.B. 827 would require a defendant to pay certain fees when the defendant posts bond.

### **PURPOSE**

As proposed, S.B. 827 changes fee requirement regarding defendants.

### **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 Article 102.011, Code of Criminal Procedure, amending Subsection (a), to require a defendant, rather than only a defendant convicted of a felony or a misdemeanor, to pay for services performed in the case by a peace officer: \$5 for issuing a certain written notice to appear in court, provided that the fee shall be refunded to a defendant who is not convicted; or \$35 for executing an arrest warrant or *capias* because of the defendant's failure to set the case for or to appear in court at the scheduled time. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.