

BILL ANALYSIS

Senate Research Center

H.B. 666
By: Gutierrez et al. (Uresti)
Criminal Justice
5/17/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides for a court cost of \$50 on the conviction of certain intoxication and drug offenses punishable as a Class B misdemeanor or higher. H.B. 666 increases the court cost to \$60 and imposes the court cost on any conviction of an offense punishable as a Class B misdemeanor or higher under certain provisions of the Penal Code and the Texas Controlled Substances Act to help fund drug court programs.

H.B. 666 amends current law relating to certain court costs used to fund drug court programs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Article 102.0178, Code of Criminal Procedure, to read as follows:

Art. 102.0178. COURT COSTS; DRUG COURT PROGRAMS.

SECTION 2. Amends Article 102.0178(a), Code of Criminal Procedure, to require a person to pay, in addition to other costs on conviction imposed by this chapter, \$50 as a court cost on conviction of an offense punishable as a Class B misdemeanor or any higher category of offense under Chapter 22 (Assaultive Offenses), 25 (Offenses Against the Family), 28 (Arson, Criminal Mischief, and Other Property Damage or Destruction), 29 (Robbery), 30 (Burglary and Criminal Trespass), 31 (Theft), 32 (Fraud), 46 (Weapons), or 49 (Intoxication and Alcoholic Beverage Offenses), Penal Code or Chapter 481 (Texas Controlled Substance Act), Health and Safety Code.

SECTION 3. Amends Section 102.021, Government Code, to conform to Chapter 1263 (H.B. 3060), Acts of the 80th Legislature, Regular Session, 2007, and further amends it to require a person convicted of an offense to pay under the Code of Criminal Procedure, in addition to all other costs, fees for services of peace officer executing or processing an issued arrest warrant, capias, or capias pro fine (Art. 102.011, Code of Criminal Procedure)... \$50; and court costs for certain convictions under the Penal Code and under Chapter 481, Health and Safety Code, to help fund drug court programs established under Chapter 469 (Drug Court Programs), Health and Safety Code (Art. 102.0178, Code of Criminal Procedure)...\$50. Makes nonsubstantive changes.

(b) Repealer: Section 102.0215 (Additional Court Costs on Conviction: Code of Criminal Procedure), Government Code.

SECTION 4. Provides that this Act, to the extent of any conflict, prevails over another Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2009.