

## **BILL ANALYSIS**

Senate Research Center  
83R8646 MEW-D

S.B. 1096  
By: Hinojosa  
Criminal Justice  
3/22/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Code of Criminal Procedure allows judges the discretion to terminate community supervision once a defendant satisfactorily completes one-third of his or her originally assigned sentence.

As currently written, the section does not preclude judges from requiring the defendant to continue to pay the fees dictated by Section 19 (Fees), Code of Criminal Procedure, after the judge terminates the community supervision.

S.B. 1096 amends the Code of Criminal Procedure to make it clear that a judge may not require a defendant to continue to pay a community supervision fee after that community supervision is terminated pursuant to Section 20 (Reduction or Termination of Community Supervision) of Article 42.12 (Community Supervision).

As proposed, S.B. 1096 amends current law relating to the monthly fee a defendant must pay during a period of community supervision.

### **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 Section 19, Article 42.12, Code of Criminal Procedure, by adding Subsection (a-1), to prohibit a judge from requiring a defendant to pay the fee under Subsection (a) (relating to a fee fixed by a judge granting community supervision) for any month after the period of community supervision has been terminated by the judge under Section 20 (Reduction or Termination of Community Supervision).

SECTION 2. Effective date: September 1, 2013.