

BILL ANALYSIS

Senate Research Center

S.B. 346
By: Zaffirini
State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A study by the Office of Court Administration identified 143 distinct criminal court costs in 17 different categories that as of January 1, 2018, are required to be assessed in Texas. Accordingly, the criminal court cost system in Texas is difficult for county and district clerks to administer and for the state to audit. This leads to significant resources being devoted by both the state and local governments to attempt to ensure compliance with state law. Despite these enormous efforts, however, it often is impossible to adhere to the unnecessarily complex criminal court costs established by current law.

What's more, in *Salinas v. State*, 524 S.W.3d 103 (2017) the Texas Court of Criminal Appeals ruled that revenue generated by court costs could not be used to fund counseling programs for abused children or rehabilitation services to assist persons with traumatic brain or spinal chord injuries. The court held criminal court costs assessed as an alternative means of collecting taxes to finance programs that are more properly attached to the executive branch, rather than funding a legitimate criminal justice purpose, are unconstitutional.

In the wake of the *Salinas* case, appellate courts have ruled several other courts costs do not serve a legitimate criminal justice purpose. The loss of the proceeds from additional criminal court costs being found unconstitutional could have negative impacts on the provisions of vital services, particularly those paid for by local government entities with the proceeds from court costs.

S.B. 346 would consolidate the many criminal court costs contained in current law, while still being revenue neutral to the greatest extent possible. The new system would be substantially easier to comply with and audit. It also would preemptively prevent potential budgetary problems that both the state and local governments could face should additional costs be ruled unconstitutional, especially mid-budget cycle. (Original Author's/Sponsor's Statement of Intent)

S.B. 346 amends current law relating to the consolidation, allocation, classification, and repeal of certain criminal court costs and other court-related costs, fines, and fees and imposes certain court costs and fees and increases and decreases the amounts of certain other court costs and fees.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. CONSOLIDATED COURT COSTS

SECTION 1.01. Amends Section 133.001, Local Government Code, as follows:

Sec. 133.001. PURPOSE. Provides that the purpose of this chapter (Criminal and Civil Fees Payable to the Comptroller) is to consolidate and standardize:

(1) collection of fees payable to the comptroller of public accounts of the State of Texas (comptroller) in criminal and civil matters by officers of certain courts; and

(2)–(3) makes no changes to these subdivisions.

SECTION 1.02. Amends Section 133.003, Local Government Code, as follows:

Sec. 133.003. CRIMINAL FEES. Provides that this chapter applies to the following criminal fees:

(1) makes no changes to this subdivision;

(2) deletes existing text of Subdivision (2) relating to a certain time payment fee, redesignates Subdivision (3) as this subdivision, and provides that this chapter applies to fees for services of peace officers employed by the state imposed under Article 102.011 (Fees For Services of Peace Officers), Code of Criminal Procedure, and forwarded to the comptroller as provided by Section 133.104 (Fees For Services of Peace Officers Employed by the State) of this code; and

(3) deletes existing Subdivisions (4)–(6) and (8)–(10) relating to certain fees and costs, redesignates existing Subdivision (7) as this subdivision, and makes no further changes.

SECTION 1.03. Amends Sections 133.102(a), (c), (d), (e), and (f), Local Government Code, as follows:

Sec. 133.102. (a) Requires a person convicted of an offense to pay as a court cost, in addition to all other costs:

(1) \$185, rather than \$133, on conviction of a felony;

(2) \$147, rather than \$83, on conviction of a Class A or Class B misdemeanor; or

(3) \$62, rather than \$40, on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle.

(c) Requires the money collected under this section as court costs imposed on offenses committed on or after January 1, 2020, rather than 2004, to be allocated according to the percentages provided in Subsection (e).

(d) Requires the money collected as court costs imposed on offenses committed on or after January 1, 2004, but before January 1, 2020, to be allocated according to the percentages provided in Subsection (e), as that subsection existed and was applied on December 31, 2019.

(e) Requires the comptroller to allocate the court costs received under this section to certain accounts and funds in a certain manner, adds new funds, decreases percentages allocated to certain funds, and redesignates an allocation to law enforcement officers standards and education as an allocation to the Texas Commission on Law Enforcement account.

(f) Authorizes certain proportionate allocations of each dollar credited to the Texas Commission on Law Enforcement account under Subsection (e)(4), rather than of each dollar credited to the law enforcement officers standards and education account under Subsection (e)(5), to be used to pay certain expenses.

SECTION 1.04. Amends Chapter 133, Local Government Code, by adding Subchapter C-1, as follows:

SUBCHAPTER C-1. ALLOCATION AND USE OF CERTAIN CRIMINAL FEES

Sec. 133.121. ALLOCATION OF FEES TO SPECIALTY COURT ACCOUNT. (a) Provides that the specialty court account is an account in the general revenue fund. Provides that the account consists of money allocated to the account under Section 133.102(e). Authorizes money in the account to be used only to fund specialty court programs established under Subtitle K (Specialty Courts), Title 2, Government Code.

(b) Authorizes the legislature to appropriate money from the specialty court account only to the criminal justice division of the office of the Governor (governor's office) for distribution to specialty court programs that apply for the money.

Sec. 133.122. ALLOCATION OF FEES TO JURY SERVICE FUND. (a) Provides that the jury service fund is created in the state treasury. Provides that the fund consists of money allocated to the fund under Section 133.102(e). Authorizes money in the fund to be appropriated only to provide juror reimbursements to counties.

(b) Requires the comptroller, if, at any time, the unexpended balance of the jury service fund exceeds \$10 million, to transfer the amount in excess of \$10 million to the fair defense account.

Sec. 133.123. ALLOCATION OF FEES TO DNA TESTING ACCOUNT. Provides that the DNA testing account is an account in the general revenue fund. Provides that the account consists of money allocated to the account under Section 133.102(e). Authorizes money in the account to be appropriated only to the Department of Public Safety of the State of Texas (DPS) to help defray the cost of collecting or analyzing DNA samples provided by defendants who are required to pay a court cost under Section 133.102.

Sec. 133.124. ALLOCATION OF FEES TO TRANSPORTATION ADMINISTRATIVE FEE ACCOUNT. Provides that the transportation administrative fee account is an account in the general revenue fund. Provides that the account consists of money allocated to the account under Section 133.102(e). Authorizes money in the account to be appropriated only to DPS to defray the administrative costs associated with implementing Chapter 706 (Denial of Renewal of License For Failure to Appear), Transportation Code.

SECTION 1.05. Amends Subtitle C, Title 4, Local Government Code, by adding Chapter 134, as follows:

CHAPTER 134. CRIMINAL FEES PAYABLE TO LOCAL GOVERNMENT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 134.001. PURPOSE. Provides that the purpose of this chapter is to consolidate and standardize collection of fees payable to a local government in criminal matters by:

- (1) an officer of a court for deposit in a county or municipal treasury; or
- (2) an officer of a county or municipality for deposit in the county or municipal treasury, as appropriate.

Sec. 134.002. DEFINITIONS. (a) Defines "fee" and "treasurer."

(b) Provides that in this chapter, a person is considered to have been convicted in a case if:

- (1) a judgment, a sentence, or both a judgment and a sentence are imposed on the person;
- (2) the person receives community supervision, deferred adjudication, or deferred disposition; or
- (3) the court defers final disposition of the case or imposition of the judgment and sentence.

Sec. 134.003. CRIMINAL FEES. Provides that this chapter applies to criminal fees imposed under Sections 134.101, 134.102, and 134.103.

SUBCHAPTER B. COLLECTION AND REMITTANCE OF LOCAL CRIMINAL FEES

Sec. 134.051. COLLECTION, REMITTANCE, AND DEPOSIT OF FEES. (a) Requires a court clerk to collect and remit to the county or municipal treasurer, as applicable, all fees in the manner provided by this section.

- (b) Requires an officer collecting a fee in a case in municipal court to remit the money to the municipal treasurer for deposit in the municipal treasury.
- (c) Requires an officer collecting a fee in justice, county, or district court to remit the money to the county treasurer for deposit in the county treasury.
- (d) Requires a court clerk collecting a fee to remit the money to the municipal or county treasurer, as applicable, for deposit in the municipal or county treasury, as appropriate.

Sec. 134.052. ALLOCATION OF DEPOSITED FEES. (a) Requires money collected under Subchapter C as court costs imposed on offenses committed on or after January 1, 2020, to be allocated according to the percentages provided by Sections 134.101, 134.102, and 134.103, as applicable.

- (b) Requires money collected under Subchapter C as court costs imposed on offenses committed on or before January 1, 2020, to be distributed using historical data so that each account or fund receives the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately.

SUBCHAPTER C. LOCAL CRIMINAL FEES

Sec. 134.101. LOCAL CONSOLIDATED FEE ON CONVICTION OF FELONY. (a) Requires a person convicted of a felony to pay \$105 as a court cost, in addition to all other costs, on conviction.

- (b) Requires the treasurer to allocate the court costs received under this section to certain accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited from receiving less than certain percentages.

Sec. 134.102. LOCAL CONSOLIDATED FEE ON CONVICTION OF CLASS A OR B MISDEMEANOR. (a) Requires a person convicted of a Class A or Class B misdemeanor to pay \$123 as a court cost, in addition to all other costs, on conviction.

- (b) Requires the treasurer to allocate the court costs received under this section to certain accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund

would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited from receiving less than certain percentages.

Sec. 134.103. LOCAL CONSOLIDATED FEE ON CONVICTION OF NONJAILABLE MISDEMEANOR. (a) Requires a person convicted of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, to pay \$14 as a court cost, in addition to all other costs, on conviction.

(b) Requires the treasurer to allocate the court costs received under this section to certain accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund is prohibited from receiving less than certain percentages.

SUBCHAPTER D. ALLOCATION AND USE OF CERTAIN CRIMINAL FEES.

Sec. 134.151. MAINTENANCE OF FUNDS AND ACCOUNTS. (a) Requires a county or municipal treasurer, as applicable, to maintain in the county or municipal treasury a fund or account to which money is allocated under Section 134.101, 134.102, or 134.103, to the extent that the fund or account is not required by other law. Authorizes money in an account maintained under this section to be used only for the purposes provided by this subchapter.

(b) Authorizes an account or fund maintained under this section in a county treasury to be administered by or at the direction of the county commissioners court.

Sec. 134.152. CLERK OF THE COURT ACCOUNT. Authorizes money allocated under Section 134.101 or 134.102 to clerk of court account maintained in the county treasury as required Section 134.151 to be used by a county only to defray costs of services provided by a county or district clerk.

Sec. 134.153. COUNTY SPECIALTY COURT ACCOUNT. Authorizes money allocated under Section 134.101 or 134.102 to the county specialty court account maintained in the county treasury as required by Section 134.151 to be used by a county only to fund specialty court programs established under Subtitle K, Title 2, Government Code.

Sec. 134.154. COUNTY OR MUNICIPAL JURY FUND. Authorizes money allocated under Section 134.101, 134.102, or 134.103 to the county or municipal jury fund maintained in the county or municipal treasury, as applicable, and as required Section 134.151 to be used by a county or municipality only to fund juror reimbursements and otherwise finance jury services.

Sec. 134.155. COUNTY RECORDS MANAGEMENT AND PRESERVATION FUND. Authorizes money allocated under Section 134.101 or 134.102 to the county records management and preservation fund maintained in the county treasury as required by Section 134.151 to be used by a county only to fund records management and preservation services performed by the court clerk.

Sec. 134.156. LOCAL TRUANCY PREVENTION AND DIVERSION FUND. (a) Authorizes money allocated under Section 134.103 to the local truancy prevention and diversion fund maintained in the county or municipal treasury as required by Section 134.151 to be used by a county or municipality to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager employed under Article 45.056 (Juvenile Case Managers), Code of Criminal Procedure. Authorizes a juvenile case manager, if there is money in the fund after those costs are paid, subject to the direction of the governing body of the county or municipality and on approval by the employing court, to direct the remaining money to

be used to implement programs directly related to the duties of the juvenile case manager, including juvenile alcohol and substance abuse programs, educational and leadership programs, and any other projects designed to prevent or reduce the number of juvenile referrals to the court.

(b) Prohibits money in the fund from being used to supplement the income of an employee whose primary role is not that of a juvenile case manager.

Sec. 134.157. ACCOUNT FOR PROSECUTOR'S FEES. Authorizes money allocated under Section 134.102 to the account for prosecutor's fees maintained in the county treasury as required by Section 134.151 to be used by a county only to defray the costs of services provided by a prosecutor.

SECTION 1.06. Transfers Article 102.015, Code of Criminal Procedure, to Subchapter C-1, Chapter 133, Local Government Code, as added by this article, redesignates it as Section 133.125, and amends it, as follows:

Sec. 133.125. New heading: ALLOCATION OF FEES TO TRUANCY PREVENTION AND DIVERSION ACCOUNT. (a) Provides that the truancy prevention and diversion account, rather than fund, is a dedicated account in the general revenue fund. Provides that the account consists of money allocated to the account under Section 133.102(e).

(b) Authorizes the legislature to appropriate money from the truancy prevention and diversion account only to the criminal justice division of the governor's office for distribution to local governmental entities for truancy prevention and intervention services. Creates this subsection from existing text of Subsection (g) and deletes existing Subsections (b) through (f) and text of Subsection (g) relating to a \$2 court cost paid by a person convicted in a municipal or justice court of certain offenses, criteria for conviction, procedure for collection and management of court costs, reporting of court costs, and requirement for the comptroller to deposit funds received under this article to the credit of the truancy prevention and diversion fund.

(c) Redesignates existing Subsection (h) as this subsection. Deletes existing Subsection (i) providing that funds collected under this article are subject to audit by the comptroller.

SECTION 1.07. Amends Article 102.0169, Code of Criminal Procedure, as follows:

Art. 102.0169. New heading: COUNTY AND DISTRICT COURT TECHNOLOGY FUND. (a) Provides that the county and district court technology fund is a fund in the county treasury. Provides that the fund consists of money allocated to the fund under Sections 134.101 and 134.102, Local Government Code. Deletes existing Subsections (a) and (b) relating to a technology fee paid by a defendant convicted of a criminal offense in certain courts. Deletes existing text of Subsection (c) relating to the requirement that the clerks of the courts collect costs and pay them to the county treasurer or other official.

(b) Creates this subsection from existing Subsection (d). Authorizes money in the county and district court technology fund, rather than a fund designated by this article, to be used only to finance certain costs and purchases.

(c) Redesignates existing Subsection (e) as this subsection and makes no further changes.

SECTION 1.08. Amends Article 102.017, Code of Criminal Procedure, as follows:

Art. 102.017. New heading: COURTHOUSE SECURITY FUND; MUNICIPAL COURT BUILDING SECURITY FUND; JUSTICE COURT BUILDING SECURITY FUND. (a) Provides that the courthouse security fund is a fund in the county treasury, and the municipal court building security fund is a fund in the municipal treasury. Provides that

the funds consist of money allocated to the funds under Sections 134.101, 134.102, and 134.103, Local Government Code. Deletes existing Subsections (a) through (c) relating to a security fee paid by a defendant convicted of a misdemeanor offense in certain courts. Deletes existing text of Subsection (d) relating to a requirements of the court clerks to collect costs and pay them to certain officials and creates this subsection from existing text of Subsection (d).

(b) Creates this paragraph from existing text and makes no further changes.

(c) Redesignates existing Subsection (d-1) as this subsection and makes no further changes.

(d) Creates this subsection from existing Subsections (d-2)(1) and (2). Requires the county treasurer to deposit one-fourth of the money allocated to the courthouse security fund under Section 134.103, Local Government Code, in a fund to be known as the justice court building security fund, rather than to deposit a cost of court collected under Subsection (b) in a justice court described by Subdivision (1) into a fund to be known as the justice court building security fund.

(e) Requires the municipal court building security fund to be administered by or under the direction of the governing body of the municipality.

(f) Makes no changes to this subsection.

SECTION 1.09. Amends Article 102.0172, Code of Criminal Procedure, as follows:

Art. 102.0172. New heading: MUNICIPAL COURT TECHNOLOGY FUND. (a) Provides that the municipal court technology fund is a fund in the municipal treasury. Provides that the fund consists of money allocated to transfer to the fund under Section 134.103, Local Government Code. Deletes existing text relating to the creation of the fund by the governing body of a municipality and text relating to a technology fee paid by a defendant convicted of a misdemeanor offense in a municipal court.

(b) Authorizes money in a municipal court technology fund to be used only to finance the purchase of or to maintain certain technological enhancements for a municipal court or municipal court of record. Deletes existing Subsection (c) and existing text relating to a technology fee paid by a defendant convicted of a misdemeanor offense in certain courts and criteria for conviction relating to a requirement of the municipal clerks to collect the costs and pay the funds to the municipal treasurer or other official. Creates this subsection from existing Subsections (b) and (d) and makes nonsubstantive changes throughout.

(c) Redesignates existing Subsection (e) as this subsection and makes no further changes.

SECTION 1.10. Amends Article 102.0173, Code of Criminal Procedure, as follows:

Art. 102.0173. New heading: JUSTICE COURT TECHNOLOGY FUND. (a) Provides that the justice court technology fund is a fund in the county treasury. Provides that the fund consists of money allocated to the fund under Section 134.103, Local Government Code. Deletes existing text requiring the commissioners court to create a justice court technology fund and text relating to a fee paid by a defendant convicted of a misdemeanor offense in a justice court.

(b) Authorizes money in the justice court technology fund to be used only to finance the cost the of certain items. Deletes existing text relating to criteria for conviction. Deletes existing Subsection (c) requiring the justice court clerk to collect costs and pay the funds to the county treasurer or other official. Creates

this subsection from existing Subsections (b) and (d) and makes nonsubstantive changes throughout.

(c) Redesignates existing Subsection (e) as this subsection and makes no further changes.

(d) Creates this subsection from existing Subsection (f) and makes a conforming change.

SECTION 1.11. Amends the heading to Section 51.702, Government Code, to read as follows:

Sec. 51.702. ADDITIONAL FEES IN STATUTORY COUNTY COURTS.

SECTION 1.12. Amends Sections 51.702(c), (d), and (e), Government Code, to replace references to court costs and fees with references to fees.

SECTION 1.13. Amends the heading to Section 51.703, Government Code, to read as follows:

Sec. 51.703. ADDITIONAL FEES IN CERTAIN COUNTY COURTS.

SECTION 1.14. Amends Sections 51.703(c), (d), and (e), Government Code, to make conforming changes.

SECTION 1.15. Amends Sections 51.851(e), (f), (g), (i), (j), and (k), Government Code, to make conforming changes.

SECTION 1.16. Amends Section 411.402(a), Government Code, to authorize fees collected under Section 133.102(e)(9), rather than under Section 133.102(e)(11), Local Government Code, to be used only for certain specified purposes.

SECTION 1.17. Amends Section 411.403(b), Government Code, as follows:

(b) Provides that the emergency radio infrastructure account consists of fees deposited in the account as provided by Section 133.102(e)(9), rather than by Section 133.102(e)(11), Local Government Code. Deletes existing text providing that the account consists of, notwithstanding Section 404.071 (Disposition of Interest on Investments), all interest attributable to money held in the account.

SECTION 1.18. Redesignates the drug court account in the general revenue fund established under Article 102.0178(g) (relating to requiring the comptroller to deposit funds to the credit of the drug court account), Code of Criminal Procedure, as repealed by this Act, as the specialty court account in the general revenue fund.

SECTION 1.19. Repealer: Article 102.004 (Jury Fee), Code of Criminal Procedure;

Repealer: Article 102.0045 (Fee For Jury Reimbursement to Counties), Code of Criminal Procedure;

Repealer: Article 102.005 (Fees to Clerks), Code of Criminal Procedure;

Repealer: Article 102.008(a) (relating to a prosecutorial service fee for misdemeanor and gambling offenses), Code of Criminal Procedure;

Repealer: Article 102.008(c) (relating to a prosecutorial service fee when two or more defendants are tried jointly), Code of Criminal Procedure;

Repealer: Article 102.008(d) (relating to a defendant's liability for fees under certain circumstances), Code of Criminal Procedure;

Repealer: Article 102.0174 (Court Costs; Juvenile Case Manager Fund), Code of Criminal Procedure.

Repealer: Article 102.0178 (Costs Attendant to Certain Intoxication and Drug Convictions), Code of Criminal Procedure;

Repealer: Article 102.020 (Costs Related to DNA Testing), Code of Criminal Procedure;

Repealer: Section 21.007 (Child Support and Court Management Account), Government Code;

Repealer: Section 51.702(b) (relating to court costs on conviction of a criminal offense in a statutory county court), Government Code;

Repealer: Section 51.703(b) (relating to court costs on conviction of a criminal offense in a county court), Government Code;

Repealer: Section 51.851(a) (relating to the definition of "conviction"), Government Code;

Repealer: Section 51.851(d) (relating to court costs on conviction of a criminal offense in certain courts), Government Code;

Repealer: Section 133.105 (Fee For Support of Court-Related Purposes), Local Government Code.

Repealer: Section 133.107 (Fee For Support of Indigent Defense Representation), Local Government Code;

Repealer: 706.007(b) (relating to authorizing the custodian of the municipal or county treasury to deposit each administrative fee collected in a certain specified manner), Transportation Code;

Repealer: 706.007(c) (relating to a required annual report by the custodian), Transportation Code; and

Repealer: 706.007(e) (relating to requiring \$10 of each \$20 received by the comptroller to be deposited to the credit of DPS), Transportation Code.

ARTICLE 2. FINES; REIMBURSEMENT FEES

SECTION 2.01. Amends Section 106.12(e), Alcoholic Beverage Code, to require the court to charge an applicant a reimbursement fee, rather than a fee, in the amount of \$30 for each application for expunction filed under this section (Expunction of Conviction or Arrest Records of a Minor) to defray the cost of notifying state agencies of orders of expunction under this section.

SECTION 2.02. Amends Section 4, Article 17.42, Code of Criminal Procedure, as follows:

Sec. 4. (a) Requires the court to assess a personal bond reimbursement fee, rather than a personal bond fee, of \$20, or three percent of the amount of the bail fixed for the accused, whichever is greater, except as otherwise provided by this subsection.

(b) Authorizes reimbursement fees, rather than fees, collected under this article (Personal Bond Office) to be used solely to defray expenses of the personal bond office, including defraying the expenses of extradition.

(c) Makes a conforming change to this subsection.

SECTION 2.03. Amends Article 17.43(b), Code of Criminal Procedure, to replace a reference to court costs with a reference to reimbursement fees.

SECTION 2.04. Amends Articles 17.44(c) and (e), Code of Criminal Procedure, to replace references to costs and court costs with references to reimbursement fees.

SECTION 2.05. Amends Article 17.441(d), Code of Criminal Procedure, to replace references to fees with references to reimbursement fees.

SECTION 2.06. Amends Articles 17.49(b) and (h), Code of Criminal Procedure, to make conforming changes.

SECTION 2.07. Amends Articles 26.05(f) and (g), Code of Criminal Procedure, to make conforming changes.

SECTION 2.08. Amends the heading to Article 37.073, Code of Criminal Procedure, to read as follows:

Art. 37.073. REPAYMENT OF REWARDS; FINES.

SECTION 2.09. Amends Article 37.073(a), Code of Criminal Procedure, as follows:

(a) Authorizes a judge, after a defendant has been convicted of a felony offense, to order a defendant to pay a fine repaying all or part of a reward, rather than to repay all or part of a reward, paid by a crime stoppers organization.

SECTION 2.10. Amends Articles 42.152(a) and (b), Code of Criminal Procedure, as follows:

(a) Requires the court, if a judge orders a defendant to pay a fine repaying a reward or part of a reward under Article 37.073, to assess this fine against the defendant in the same manner as other fines are assessed against a defendant, rather than requiring the court, if a judge orders a defendant to repay a reward or part of a reward under Article 37.073 of this code, to assess this cost against the defendant in the same manner as other costs of prosecution are assessed against a defendant.

(b) Requires the clerk of the court or fee officer, after receiving a payment of a fine from a person ordered to make the payment under this article, to:

(1) makes no changes to this subdivision;

(2) deduct a one-time \$7 processing fee from the payment, rather than from the reward repayment; and

(3)–(4) makes no changes to these subdivisions.

SECTION 2.11. Amends Article 42A.301(b), Code of Criminal Procedure, as follows:

(b) Authorizes conditions of community supervision to include conditions requiring the defendant to:

(1)–(11) makes no changes to these subdivisions;

(12) deletes existing text relating to a requirement, if under custodial supervision in a community corrections facility, to pay a percentage of the defendant's income to the defendant's dependents for their support during the period of custodial supervision;

(13)–(18) makes no changes to these subdivisions;

(19) reimburse, rather than pay, all or part of the reasonable and necessary costs incurred by the victim for psychological counseling made necessary by the offense or for counseling and education relating to acquired immune deficiency syndrome or human immunodeficiency virus made necessary by the offense;

(20) pay a fine, rather than make one payment, in an amount not to exceed \$50 to a crime stoppers organization, as defined by Section 414.001 (Definitions), Government Code, and as certified by the Texas Crime Stoppers Council;

(21)–(22) makes nonsubstantive changes to these subdivisions; and

(23) deletes this subdivision relating to reimbursing the county in which the prosecution was instituted for compensation paid to any interpreter in the case.

SECTION 2.12. Amends Article 42A.452, Code of Criminal Procedure, as follows:

Art. 42A.452. TREATMENT, SPECIALIZED SUPERVISION, OR REHABILITATION. Requires the judge, on a finding that the defendant is financially able to make a payment, to require the defendant to pay a reimbursement fee for all or part of the reasonable and necessary costs of the treatment, supervision, or rehabilitation, rather than to pay for all or part of the reasonable and necessary costs of the treatment, supervision, or rehabilitation.

SECTION 2.13. Amends Article 42A.455, Code of Criminal Procedure, as follows:

Sec. 42A.455. PAYMENT TO CHILDREN'S ADVOCACY CENTER. Authorizes a judge who grants community supervision to a defendant charged with or convicted of an offense under Section 21.11 (Indecency With a Child) or 22.011(a)(2) (relating to certain acts of sexual assault against a child), Penal Code, to require the defendant to pay a fine, rather than to make one payment, in an amount not to exceed \$50 to a children's advocacy center established under Subchapter E (Children's Advocacy Centers), Chapter 264, Family Code.

SECTION 2.14. Amends Article 42A.504(b), Code of Criminal Procedure, to make a conforming change.

SECTION 2.15. Amends Article 42A.652, Code of Criminal Procedure, as follows:

Art. 42A.652. New heading: MONTHLY REIMBURSEMENT FEE. (a) Requires a judge who grants community supervision to a defendant to set a reimbursement fee, rather than a fee, of not less than \$25 and not more than \$60 to be paid each month during the period of community supervision by the defendant to certain courts, except as otherwise provided by this article.

(b) through (f) Makes conforming changes to these subsections.

SECTION 2.16. Amends Article 42A.653, Code of Criminal Procedure, as follows:

Art. 42A.653. New heading: ADDITIONAL MONTHLY FINE FOR CERTAIN SEX OFFENDERS. (a) Replace references to a fee with references to a fine.

(b) Provides that a fine, rather than a fee, imposed under this article is in addition to court costs or any other fee or fine, rather than fee, imposed on the defendant.

(c) and (d) Makes conforming changes to these subsections.

SECTION 2.17. Amends Article 45.0216(i), Code of Criminal Procedure, to replace a reference to fee with a reference to reimbursement fee.

SECTION 2.18. Amends Articles 45.026(a) and (b), Code of Criminal Procedure, as follows:

(a) Authorizes a justice or municipal court to order a party who does not waive a jury trial in a justice or municipal court and who fails to appear for the trial to pay a reimbursement fee for the costs incurred for impaneling the jury, rather than to pay the costs incurred for impaneling the jury.

(b) Makes a conforming change to this subsection.

SECTION 2.19. Amends Articles 45.051(a), (b), (b-2), (b-3), and (g), Code of Criminal Procedure, as follows:

(a) Requires a judge, if the judge orders the collection of a fine under this subsection, to require that the amount of the fine be credited toward the payment of the amount of any fine imposed by the judge as punishment for the offense, rather than requiring a judge, if the judge orders the collection of a special expense fee, to require that the amount of the special expense fee be credited toward the payment of the amount of the fine imposed by the judge. Replaces references to a special expense fee with references to a fine.

(b) Authorizes the judge, during the deferral period, to require the defendant to:

(1)–(2) makes conforming changes to these subdivisions;

(3)–(6) makes no changes to these subdivisions;

(7) pay as reimbursement fees the costs of, rather than pay the costs of, any diagnostic testing, psychosocial assessment, or participation in a treatment or education program either directly or through the court as court costs; and

(8)–(10) makes no changes to these subdivisions.

(b-2) and (b-3) Makes conforming changes to these subsections.

(g) Makes a conforming change and authorizes the judge to allow the defendant to pay the fee, rather than to pay the cost of attending the alcohol awareness or drug education program, in installments during the deferral period.

SECTION 2.20. Reenacts Article 45.051(a-1), Code of Criminal Procedure, as amended by Chapters 227 (H.B. 350) and 777 (H.B. 1964), Acts of the 82nd Legislature, Regular Session, 2011, and amends it, as follows:

(a-1) Creates Subdivision (4) from existing text and makes nonsubstantive changes throughout. Authorizes the judge, notwithstanding any other provision of law, as an alternative to requiring a defendant charged with one or more offenses to make a payment of all fines and court costs, rather than of all court costs, as required by Subsection (a), to:

(1) makes a conforming change to this subdivision;

(2) require an eligible defendant to discharge all or part of those fines and costs, rather than fines, by performing community service or attending a tutoring program under Article 45.049 (Community Service in Satisfaction of Fine or Costs) or under 45.0492 (Community Service in Satisfaction of Fine or Costs For Certain Juvenile Defendants), as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011;

(3) waive all or part of those fines and costs under Article 45.0491 (Waiver Of Payment Of Fines And Costs For Certain Defendants And For Children); or

(4) take any combination of actions authorized by Subdivision (1), (2), or (3), rather than by Subdivision (1) or (2).

SECTION 2.21. Amends Articles 45.0511(c-1), (f), (g), and (h), Code of Criminal Procedure, as follows:

(c-1) Replaces references to fees with references to reimbursement fees.

(f) Authorizes the court, in addition to court costs and fees authorized or imposed by a law of this state and applicable to the offense, to:

(1) require a defendant requesting a course under Subsection (b) (relating to requiring a judge to order a defendant to complete a driving sobriety course or motorcycle operator training and safety program on the defendant's election in certain circumstances) to pay a reimbursement fee to cover the cost of administering this article in an amount of not more than \$10, rather than an administrative fee set by the court to cover the cost of administering this article at an amount of not more than \$10; or

(2) makes a conforming change to this subdivision;

(g) Provides that a defendant who requests but does not take a course is not entitled to a refund of the reimbursement fee or fine assessed under Subsection (f), rather than of the fee.

(h) Replaces references to fees with references to money.

SECTION 2.22. Amends Articles 45.052(e), (g), and (i), Code of Criminal Procedure, to replace references to fees with references to reimbursement fees and to make nonsubstantive changes.

SECTION 2.23. Amends the heading to Article 45.203, Code of Criminal Procedure, to read as follows:

Art. 45.203. COLLECTION OF FINES AND COSTS.

SECTION 2.24. Amends Article 45.203(c), Code of Criminal Procedure, as follows:

(c) Authorizes the governing body of each municipality to prescribe by ordinance the collection, after due notice, of a fine not to exceed \$25 for an offense under Section 38.10(e) (relating to failure to appear for an offense punishable by fine only), Penal Code, or Section 543.009 (Compliance With or Violation of Promise to Appear), Transportation Code, rather than the collection, after due notice, of a special expense, not to exceed \$25 for the issuance and service of a warrant of arrest for an offense under Section 38.10 (Bail Jumping and Failure to Appear), Penal Code, or Section 543.009, Transportation Code. Makes a conforming change.

SECTION 2.25. Amends the heading to Article 102.001, Code of Criminal Procedure, to read as follows:

Art. 102.001. REIMBURSEMENT FEES FOR SERVICE OF PEACE OFFICERS.

SECTION 2.26. Amends Article 102.001(b), Code of Criminal Procedure, to delete existing text relating to fees provided by former Subsection (a), to replace a reference to fees with a reference to reimbursement fees, and to make a nonsubstantive change.

SECTION 2.27. Amends Article 102.007, Code of Criminal Procedure, as follows:

Art. 102.007. New heading: REIMBURSEMENT FEE FOR COLLECTING AND PROCESSING CHECK OR SIMILAR SIGHT ORDER. Replaces references to fees and collection fees with references to reimbursement fees. Makes nonsubstantive changes.

SECTION 2.28. Amends the heading to Article 102.011, Code of Criminal Procedure, to read as follows:

Art. 102.011. REIMBURSEMENT FEES FOR SERVICES OF PEACE OFFICERS.

SECTION 2.29. Amends Articles 102.011(a), (b), (c), (d), (e), and (i), Code of Criminal Procedure, as follows:

(a) and (b) Replaces references to fees with references to reimbursement fees and makes conforming and nonsubstantive changes to these subsections.

(c) Requires a defendant, if an officer attaches a witness on the order of a court outside the county, to pay a reimbursement fee of \$10, rather than to pay \$10, per day or part of a day spent by the officer conveying the witness and actual necessary expenses for travel by the most practical public conveyance.

(d) Makes a conforming change to this subsection.

(e) Makes conforming and nonsubstantive changes to this subsection.

(i) Makes conforming changes and requires a defendant required to pay reimbursement fees under this article, in addition to reimbursement fees provided by Subsections (a) through (e), rather than Subsections (a) through (g) of this article, to also pay the costs of overtime paid to a peace officer for time spent testifying in the trial of the case or for traveling to or from testifying in the trial.

SECTION 2.30. Amends Article 102.012, Code of Criminal Procedure, as follows:

Art. 102.012. New heading: REIMBURSEMENT FEES FOR PRETRIAL INTERVENTION PROGRAMS. Replaces references to fees with references to reimbursement fees.

SECTION 2.31. Amends Article 102.0121, Code of Criminal Procedure, as follows:

Art. 102.0121. New heading: REIMBURSEMENT FEES FOR CERTAIN EXPENSES RELATED TO PRETRIAL INTERVENTION PROGRAMS. Replaces references to fees with references to reimbursement fees.

SECTION 2.32. Amends the heading to Article 102.014, Code of Criminal Procedure, to read as follows:

Art. 102.014. FINES FOR CHILD SAFETY FUND IN MUNICIPALITIES.

SECTION 2.33. Amends Articles 102.014(a), (b), (c), (d), (f), (g), and (h), Code of Criminal Procedure, as follows:

(a) Replaces references to a court cost with references to a fine. Deletes existing text requiring a court cost under this subsection to be collected in the same manner that other fines in the case are collected.

(b) Makes conforming changes to this subsection.

(c) Deletes references to other taxable court costs and makes conforming changes to this subsection.

(d), (f), and (g) Makes conforming changes to these subsections.

(h) Replaces a reference to fee revenues with a reference to fine revenues.

SECTION 2.34. Amends the heading to Article 102.0171, Code of Criminal Procedure, to read as follows:

Art. 102.0171. FINES: JUVENILE DELINQUENCY PREVENTION FUNDS.

SECTION 2.35. Amends Articles 102.0171(a) and (c), Code of Criminal Procedure, as follows:

(a) Requires a defendant convicted of an offense under Section 28.08 (Graffiti), Penal Code, in certain courts to pay a fine of \$50 for juvenile delinquency prevention and

graffiti eradication, rather than to pay a \$50 juvenile delinquency prevention and graffiti eradication fee as a cost of court.

(c) Replaces a reference to costs with a reference to fines and makes a nonsubstantive change.

SECTION 2.36. Amends the heading to Article 102.018, Code of Criminal Procedure, as follows:

Art. 102.018. REIMBURSEMENT FEES AND EXPENSES ATTENDANT TO INTOXICATION CONVICTIONS.

SECTION 2.37. Amends Articles 102.018(a) and (b), Code of Criminal Procedure, as follows:

(a) Replaces references to costs with references to reimbursement fees and provides that the reimbursement fees are imposed in addition to other court costs or fees, rather than in addition to other court costs. Makes a nonsubstantive change.

(b) Replaces references to costs and costs of court with references to reimbursement fees and fees.

SECTION 2.38. Amends Article 102.0185, Code of Criminal Procedure, as follows:

Art. 102.0185. New heading: FINE FOR INTOXICATION CONVICTIONS: EMERGENCY MEDICAL SERVICES, TRAUMA FACILITIES, AND TRAUMA CARE SYSTEMS. (a) Requires a person convicted of an offense under Chapter 49 (Intoxication and Alcoholic Beverage Offenses), Penal Code, except for Sections 49.02 (Public Intoxication) and 49.031 (Possession of Alcoholic Beverage in Motor Vehicle) of that code, to pay a fine of \$100, rather than to pay \$100, on conviction of the offense, in addition to the reimbursement fee imposed by Article 102.018, rather than in addition to the costs on conviction imposed by Articles 102.016 and 102.018. Makes a nonsubstantive change.

(b) Replaces a reference to costs with a reference to fines.

(c) Provides that fines imposed under this article are collected in the manner provided for the collection of court costs by Subchapter B (Deposit of Money), Chapter 113, Local Government Code, rather than providing that costs imposed under this article are collected in the manner provided by Subchapter B, Chapter 133, Local Government Code.

(d) and (e) Makes conforming changes to these subsections.

(f) Makes no changes to this subsection.

SECTION 2.39. Amends the heading to Article 102.0186, Code of Criminal Procedure, to read as follows:

Art. 102.0186. FINE FOR CERTAIN CHILD SEXUAL ASSAULT AND RELATED CONVICTIONS.

SECTION 2.40. Amends Articles 102.0186(a), (b), and (c), Code of Criminal Procedure, as follows:

(a) Requires a person convicted of an offense under certain sections to pay a fine of \$100, rather than to pay \$100, on conviction of the offense.

(b) Replaces a reference to costs with a reference to a fine and makes a nonsubstantive change.

(c) Makes conforming changes to this subsection.

SECTION 2.41. Amends Article 104.002(d), Code of Criminal Procedure, to require a person who is or was a prisoner in a county jail and received medical, dental, or health related services from a county or hospital district to pay a reimbursement fee for such services, rather than to pay for such services, when they are rendered.

SECTION 2.42. Amends Sections 54.032(e), (g), and (h), Family Code, to replace references to fees with references to reimbursement fees.

SECTION 2.43. Amends Sections 41.258(b), (c), (d), and (f), Government Code, to replace references to costs with references to reimbursement fees.

SECTION 2.44. Amends the heading to Section 76.015, Government Code, to read as follows:

Sec. 76.015. REIMBURSEMENT FEE.

SECTION 2.45. Amends Section 76.015(c), Government Code, to replace a reference to a reasonable administrative fee with a reference to a reasonable reimbursement fee and to make a conforming change.

SECTION 2.46. Amends Section 123.004, Government Code, as follows:

Sec. 123.004. New heading: REIMBURSEMENT FEES. Replaces references to fees with references to reimbursement fees.

SECTION 2.47. Amends Section 124.005, Government Code, as follows:

Sec. 124.005. New heading: REIMBURSEMENT FEES. Makes conforming and nonsubstantive changes to this section.

SECTION 2.48. Amends Section 126.006, Government Code, as follows:

Sec. 126.006. New heading: REIMBURSEMENT FEES. (a) Deletes existing text relating to a victim services fee. Makes conforming changes and nonsubstantive changes to this subsection.

(b) Makes a conforming change to this subsection.

SECTION 2.49. Amends Section 129.006, Government Code, as follows:

Sec. 129.006. New heading: REIMBURSEMENT FEES. Makes conforming changes to this section.

SECTION 2.50. Amends Section 161.255(b), Health and Safety Code, to make a conforming change.

SECTION 2.51. Amends Section 169.005, Health and Safety Code, as follows:

Sec. 169.005. New heading: REIMBURSEMENT FEES. (a) Replaces references to various fees with references to various reimbursement fees. Deletes existing text relating to a victim services fee. Makes conforming and nonsubstantive changes.

(b) Makes a conforming change to this subsection.

SECTION 2.52. Amends Section 132.002, Local Government Code, as follows:

(a) through (c) Makes conforming changes to these subsections.

(d) Replaces a reference to a handling fee with a reference to a reimbursement fee.

(e) and (f) Makes conforming changes to these subsections.

SECTION 2.53. Amends Section 132.003, Local Government Code, as follows:

Sec. 132.003. New heading: REIMBURSEMENT FEE FOR PROCESSING CERTAIN PAYMENTS. (a) Requires the commissioners court to set a reimbursement fee, rather than processing fee, in an amount that is reasonably related to the expense incurred by the county or precinct officer in processing the payment by credit card. Prohibits the court from setting the fee authorized by this subsection, rather than the processing fee, in an amount that exceeds five percent of the amount of the fee, court cost, or other charge being paid.

(b) Makes conforming changes to this subsection.

(c) Requires the reimbursement fee to be set at certain rates if the commissioners court authorizes collection of a reimbursement fee for processing a payment for electronic means under Section 132.002(d), rather than requiring the fee to be set at certain rates if the commissioners court authorizes the collection of a handling fee under Section 132.002(c).

(d) Makes conforming changes to this subsection.

SECTION 2.54. Transfers Section 133.103, Local Government Code, to Subchapter A, Chapter 102, Code of Criminal Procedure, redesignates it as Article 102.030, Code of Criminal Procedure, and amends it, as follows:

Art. 102.030. New heading: TIME PAYMENT REIMBURSEMENT FEE. (a) Requires a person convicted of an offense to pay a reimbursement fee of \$15, rather than requiring a person convicted of an offense to pay, in addition to all other costs, a fee of \$25, if the person:

(1) makes no changes to this subdivision; and

(2) pays any part of a fine, court costs, or restitution, or another reimbursement fee, on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, restitution, or other reimbursement fee, rather than pays any part of a fine, court costs, or restitution, on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution.

(b) Creates this subsection from existing Subdivision (c). Requires the treasurer to deposit the reimbursement fees collected under this section, rather than 10 percent of the fees collected under this section, in a separate account in the general fund of the county or municipality to be used for the purposes of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of administration of justice in the county or municipality. Deletes existing Subsection (b) relating to a required deposit of 50 percent of the fees collected under this section to the comptroller.

Deletes existing Subsection (c-1) relating to a requirement that the treasurer send the comptroller 100 percent of fees collected under this section in certain cases of noncompliance. Deletes existing Subsection (d) relating to deposit of the remainder of the fees collected in this section in the general revenue account of the county or municipality.

SECTION 2.55. Amends the heading to Section 31.127, Parks and Wildlife Code, to read as follows:

Sec. 31.127. PENALTIES AND FINES.

SECTION 2.56. Amends Section 31.127(f), Parks and Wildlife Code, to replace a reference to an administrative fee with a reference to a fine.

SECTION 2.57. Amends the heading to Section 284.2031, Transportation Code, to read as follows:

Sec. 284.2031. CIVIL AND CRIMINAL ENFORCEMENT: FINE.

SECTION 2.58. Amends Section 284.2031(a), Transportation Code, to authorize a county to impose, in addition to other costs, a fine of \$1, rather than \$1 as a court cost, on conviction to a defendant convicted of an offense under certain sections in certain circumstances.

SECTION 2.59. Amends the heading to Section 284.2032, Transportation Code, to read as follows:

Sec. 284.2032. FINE IN CERTAIN COUNTIES.

SECTION 2.60. Amends Section 284.2032(a), Transportation Code, to authorize a county with a population of 3.3 million or more to impose a fine of \$1, rather than \$1 as an administrative cost associated with collecting a toll or charge in addition to other costs, for each event of nonpayment of a required toll or charge imposed under Section 284.069 (Tolls and Charges).

SECTION 2.61. Amends Sections 502.010(f), (f-1), (i), and (j), Transportation Code, to replace references to fees with references to reimbursement fees.

SECTION 2.62. Amends Section 502.407(b), Transportation Code, to replace a reference to an administrative fee with a reference to a fine.

SECTION 2.63. Amends Section 502.473(d), Transportation Code, to make a conforming change.

SECTION 2.64. Amends Section 502.475(c), Transportation Code, to make a conforming change.

SECTION 2.65. Amends Section 504.943(d), Transportation Code, to make a conforming change.

SECTION 2.66. Amends Section 504.945(d), Transportation Code, to make a conforming change.

SECTION 2.67. Amends Section 521.026(b), Transportation Code, to make a conforming change.

SECTION 2.68. Amends Section 521.054(d), Transportation Code, to make conforming changes.

SECTION 2.69. Amends Section 521.221(d), Transportation Code, to make a conforming change.

SECTION 2.70. Amends the heading to Section 542.403, Transportation Code, to read as follows:

Sec. 542.403. FINES.

SECTION 2.71. Amends Section 542.403(a) and (b), Transportation Code, as follows:

(a) Authorizes the court, in addition to other costs, to order a person convicted of a misdemeanor under this subtitle (Rules of the Road) to pay a fine of \$3, rather than requiring a person convicted of a misdemeanor under this subtitle, in addition to other costs, to pay \$3 as a cost of court.

(b) Replaces references to a cost with references to a fine.

SECTION 2.72. Amends Section 547.004(c), Transportation Code, to replace a reference to an administrative fee with a reference to a fine.

SECTION 2.73. Amends Section 548.605(e), Transportation Code, to make a conforming change.

SECTION 2.74. Amends Section 601.263, Transportation Code, as follows:

Sec. 601.263. New heading: REIMBURSEMENT FEE FOR IMPOUNDMENT.
Replaces a reference to a cost with a reference to a reimbursement fee.

SECTION 2.75. Amends the heading to Section 681.013, Transportation Code, to read as follows:

Sec. 681.013. DISMISSAL OF CHARGE; FINE.

SECTION 2.76. Amends Section 681.013(b), Transportation Code, to replace a reference to an administrative fee with a reference to a fine.

SECTION 2.77. Amends Section 702.003(e-1), Transportation Code, to replace references to fees with references to reimbursement fees.

SECTION 2.78. Amends Section 706.006, Transportation Code, as follows:

New heading: PAYMENT OF REIMBURSEMENT FEE. (a) Requires a person who fails to appear for a complaint or citation for an offense described by Section 706.002(a) (relating to authorizing a political division to contract with DPS to provide information on driver's license denials), except as provided by Subsection (d), to be required to pay a reimbursement fee of \$10, rather than an administrative fee of \$30, for each complaint or citation reported to DPS under this chapter, unless certain conditions are met. Makes a conforming change.

(a-1)-(d) Makes conforming changes to these subsections.

SECTION 2.79. Amends the heading to Section 706.007, Transportation Code, to read as follows:

Sec. 706.007. DISPOSITION OF FEES.

SECTION 2.80. Amends Sections 706.007(a) and (d), Transportation Code, as follows:

(a) Requires an officer collecting a reimbursement fee under Section 706.006 (Payment of Administrative Fee) to remit the money to the municipal or county treasurer, as applicable, rather than requiring an officer collecting a fee under Section 706.006 to keep records and deposit the money as provided by Subchapter B, Chapter 133, Local Government Code.

(d) Requires the custodian of a municipal or county treasury to deposit the money collected under Section 706.006 to the credit of the general fund of the municipality or county for the purposes of Section 706.008 (Contract With Private Vendor; Compensation). Deletes existing text requiring \$20 to be sent to the comptroller before the last day of each calendar quarter and existing text requiring deposit of the remainder to the credit of the general fund of the municipality or county.

ARTICLE 3. ADMINISTRATIVE, CIVIL, AND CRIMINAL CONSEQUENCES IMPOSED ON PERSONS ARRESTED FOR, CHARGED WITH, OR CONVICTED OF CERTAIN CRIMINAL OFFENSES

SECTION 3.01. Amends Chapter 1, Code of Criminal Procedure, by adding Article 1.053, as follows:

Art. 1.053. PRESENT ABILITY TO PAY. Requires the court, except as otherwise specifically provided, in determining a defendant's ability to pay for any purpose, to consider only the defendant's present ability to pay.

SECTION 3.02. Amends Article 43.015, Code of Criminal Procedure, by adding Subdivision (3), to define "cost."

SECTION 3.03. Amends Chapter 43, Code of Criminal Procedure, by adding Article 43.035, as follows:

Art. 43.035. RECONSIDERATION OF FINE OR COSTS. (a) Requires the court, if a defendant notifies the court that the defendant has difficulty paying the fine and costs in compliance with the judgment, to hold a hearing to determine whether that portion of the judgment imposes an undue hardship on the defendant.

(b) Authorizes a defendant, for purposes of Subsection (a), to notify the court by:

(1) voluntarily appearing and informing the court or the clerk of the court in the manner established by the court for that purpose;

(2) filing a motion with the court;

(3) mailing a letter to the court; or

(4) any other method established by the court for that purpose.

(c) Requires the court, if the court determines at the hearing under Subsection (a) that the portion of the judgment regarding the fine and costs imposes an undue hardship on the defendant, to consider whether the fine and costs should be satisfied through one or more methods listed under Article 42.15(a-1) (relating to court inquiry into whether a defendant has sufficient resources or income to pay all or part of the fine or costs).

(d) Authorizes the court to decline to hold a hearing under Subsection (a) if the court:

(1) previously held a hearing under that subsection with respect to the case and is able to determine without holding a hearing that the portion of the judgment regarding the fine and costs does not impose an undue hardship on the defendant; or

(2) is able to determine without holding a hearing that:

(A) the applicable portion of the judgment imposes an undue hardship on the defendant; and

(B) the fine and costs should be satisfied through one or more methods listed under Article 42.15(a-1).

(e) Provides that the court retains jurisdiction for the purpose of making a determination under this article.

SECTION 3.04. Amends the heading to Article 43.05, Code of Criminal Procedure, to read as follows:

Art. 43.05. ISSUANCE AND RECALL OF CAPIAS PRO FINE.

SECTION 3.05. Amends Article 43.05(a-1), Code of Criminal Procedure, as added by Chapter 1127 (S.B. 1913), Acts of the 85th Legislature, Regular Session, 2017, as follows:

(a-1) Prohibits a court from issuing a *capias pro fine* for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant and the defendant fails to appear at the hearing or comply with an order issued under Subsection (a-3) as a result of the hearing, rather than prohibiting the court from issuing a *capias pro fine* for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing on the defendant's ability to satisfy the judgment and the defendant fails to appear at the hearing or, based on evidence presented at the hearing, the court determines that the *capias pro fine* should be issued.

SECTION 3.06. Amends Article 43.05, Code of Criminal Procedure, by amending Subsection (a-2) and adding Subsections (a-3) and (a-4), as follows:

(a-2) Requires the court, if the court determines at the hearing under Subsection (a-1) that the judgment imposes an undue hardship on the defendant, to determine whether the fine and costs should be satisfied through one or more methods listed under Article 42.15(a-1). Provides that the court retains jurisdiction for the purpose of making a determination under this subsection.

(a-3) Requires the court, if the court determines at the hearing under Subsection (a-1) that the judgment does not impose an undue hardship on the defendant, to order the defendant to comply with the judgment not later than the 30th day after the date the determination is made.

(a-4) Creates this subsection from existing text. Requires the court to recall a *capias pro fine* if, before the *capias pro fine* is executed, the defendant provides notice to the court under Article 43.035 and a hearing is set under that article or voluntarily appears and makes a good faith effort to resolve the *capias pro fine*, rather than requiring the court to recall a *capias pro fine* if, before the *capias pro fine* is executed, the defendant voluntarily appears to resolve the amount owed and the amount owed is resolved in any manner authorized by this code.

SECTION 3.07. Amends Article 43.091, Code of Criminal Procedure, as follows:

Art. 43.091. WAIVER OF PAYMENT OF FINES AND COSTS FOR CERTAIN DEFENDANTS AND FOR CHILDREN. (a) Creates this subsection from existing text and replaces references to fines or costs with references to fines.

(b) Provides that a determination of undue hardship made under Subsection (a)(2) (relating to alternate methods of discharging certain fines) is in the court's discretion. Authorizes the court, in making that determination, to consider, as applicable, certain factors relating to the defendant's personal situation.

(c) Authorizes the court to waive payment of all or part of the costs imposed on a defendant if the court determines that the defendant:

(1) is indigent or does not have sufficient resources or income to pay all or part of the costs; or

(2) was, at the time the offense was committed, a child as defined by Article 45.058(h) (relating to the definition of "child").

(d) Provides that this subsection applies only to a defendant placed on community supervision, including deferred adjudication community supervision, whose fine or costs are wholly or partly waived under this article. Authorizes the court, at any time during the defendant's period of community supervision, on the court's own motion or by motion of the attorney representing the state, to reconsider the waiver of the fine or costs. Authorizes the court, after providing written notice to the defendant and an opportunity for the defendant to present information relevant to the defendant's ability to pay, to order the defendant to pay all or part of the

waived amount of the fine or costs only if the court determines that the defendant has sufficient resources or income to pay that amount.

SECTION 3.08. Amends Subchapter A, Chapter 45, Code of Criminal Procedure, by adding Article 45.004, as follows:

Art. 45.004. GENERAL DEFINITION. Defines "cost" for purposes of this chapter (Justice and Municipal Courts).

SECTION 3.09. Amends Subchapter B, Chapter 45, Code of Criminal Procedure, by adding Articles 45.0201 and 45.0445, as follows:

Art. 45.0201. APPEARANCE BY TELEPHONE OR VIDEOCONFERENCE. Authorizes the justice or judge, if the justice or judge determines that requiring a defendant to appear before the justice or judge in person for a hearing under Article 45.0445 or 45.045 (Capias Pro Fine) would impose an undue hardship on the defendant, to allow the defendant to appear by telephone or videoconference.

Art. 45.0445. RECONSIDERATION OF FINE OR COSTS. (a) Requires the justice or judge, if the defendant notifies the justice or judge that the defendant has difficulty paying the fine and costs in compliance with the judgment, to hold a hearing to determine whether the judgment imposes an undue hardship on the defendant.

(b) Authorizes a defendant, for purposes of Subsection (a), to notify the justice or judge by:

- (1) voluntarily appearing and informing the justice or judge or the clerk of the court in the manner established by the justice or judge for that purpose;
- (2) filing a motion with the justice or judge;
- (3) mailing a letter to the justice or judge; or
- (4) any other method established by the justice or judge for that purpose.

(c) Requires the justice or judge, if the justice or judge determines at the hearing under Subsection (a) that the judgment imposes an undue hardship on the defendant, to consider whether to allow the defendant to satisfy the fine and costs through one or more methods listed under Article 45.041(a-1) (relating to requiring a justice or judge to determine whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs).

(d) Authorizes the justice or judge to decline to hold a hearing under Subsection (a) if the justice or judge:

- (1) previously held a hearing under that subsection with respect to the case and is able to determine without holding a hearing that the judgment does not impose an undue hardship on the defendant; or
- (2) is able to determine without holding a hearing that:
 - (A) the judgment imposes an undue hardship on the defendant; and
 - (B) the fine and costs should be satisfied through one or more methods listed under Article 45.041(a-1).

(e) Provides that the justice or judge retains jurisdiction for the purpose of making a determination under this article.

SECTION 3.10. Amends Article 45.045(a-2), Code of Criminal Procedure, as added by Chapter 1127 (S.B. 1913), Acts of the 85th Legislature, Regular Session, 2017, as follows:

(a-2) Prohibits a court from issuing a *capias pro fine* for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant and the defendant fails to appear at the hearing or comply with an order issued under Subsection (a-4) as a result of the hearing, rather than prohibiting the court from issuing a *capias pro fine* for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing on the defendant's ability to satisfy the judgment and the defendant fails to appear at the hearing or, based on evidence presented at the hearing, the court determines that the *capias pro fine* should be issued.

SECTION 3.11. Amends Article 45.045, Code of Criminal Procedure, by amending Subsection (a-3) and adding Subsections (a-4) and (a-5), as follows:

(a-3) Requires the justice or judge, if the justice or judge determines at the hearing under Subsection (a-2) that the judgment imposes an undue hardship on the defendant, to determine whether the fine and costs should be satisfied through one or more methods listed under Article 45.041(a-1). Provides that the justice or judge retains jurisdiction for the purpose of making a determination under this subsection.

(a-4) Requires the justice or judge, if the justice or judge determines at the hearing under Subsection (a-2) that the judgment does not impose an undue hardship on the defendant, to order the defendant to comply with the judgment not later than the 30th day after the date the determination is made.

(a-5) Creates this subsection from existing text. Requires the court to recall a *capias pro fine* if, before the *capias pro fine* is executed, the defendant provides notice to the justice or judge under Article 45.0445 and a hearing is set under that article or voluntarily appears and makes a good faith effort to resolve the *capias pro fine*, rather than requiring the court to recall a *capias pro fine* if, before the *capias pro fine* is executed, the defendant voluntarily appears to resolve the amount owed and the amount owed is resolved in any manner authorized by this chapter.

SECTION 3.12. Amends Article 45.0491, Code of Criminal Procedure, as follows:

Art. 45.0491. WAIVER OF PAYMENT OF FINES AND COSTS FOR CERTAIN DEFENDANTS AND FOR CHILDREN. (a) Replaces references to a fine or costs with references to a fine.

(b) Provides that a defendant is presumed to be indigent or to not have sufficient resources or income to pay all or part of the fine or costs for purposes of Subsection (a) or (d) if the defendant meets certain requirements.

(c) Provides that a determination of undue hardship made under Subsection (a)(2) is in the court's discretion. Authorizes the court, in making that determination, to consider, as applicable, certain factors relating to the defendant's personal situation.

(d) Authorizes a municipal court, regardless of whether the court is a court of record, or a justice court to waive payment of all or part of the costs imposed on a defendant if the court determines that the defendant:

(1) is indigent or does not have sufficient resources or income to pay all or part of the costs; or

(2) was, at the time the offense was committed, a child as defined by Article 45.058(h).

SECTION 3.13. Repealer: Article 42.15(a-1) (relating to a court determination of a defendant's ability to pay fines and costs), Code of Criminal Procedure, as added by Chapter 977 (H.B. 351), Acts of the 85th Legislature, Regular Session, 2017.

Article 43.05(a-1) (relating to steps a court must take before issuing a capias pro fine for a defendant's failure to satisfy judgment terms), Code of Criminal Procedure, as added by Chapter 977 (H.B. 351), Acts of the 85th Legislature, Regular Session, 2017.

Article 45.041(a-1) (relating to a judge or justice's determination of a defendant's ability to pay fines and costs), Code of Criminal Procedure, as added by Chapter 977 (H.B. 351), Acts of the 85th Legislature, Regular Session, 2017.

Article 45.045(a-2) (relating to steps a court must take before issuing a capias pro fine for a defendant's failure to satisfy judgment terms), Code of Criminal Procedure, as added by Chapter 977 (H.B. 351), Acts of the 85th Legislature, Regular Session, 2017.

SECTION 3.14. Provides that, notwithstanding Section 32, Chapter 977 (H.B. 351), and Section 28, Chapter 1127 (S.B. 1913), Acts of the 85th Legislature, Regular Session, 2017, Section 706.006, Transportation Code, as amended by those Acts, applies to any fee assessed on or after the effective date of this Act, regardless of whether the offense, complaint, citation, or other violation giving rise to the fee occurred before, on, or after the effective date of this Act.

SECTION 3.15. Provides that Articles 1.053 and 45.0201, Code of Criminal Procedure, as added by this article, apply to a proceeding that commences before, on, or after the effective date of this Act.

SECTION 3.16. Provides that Articles 43.035 and 45.0445, Code of Criminal Procedure, as added by this article, apply to a notification received by a court on or after the effective date of this Act, regardless of whether the judgment of conviction was entered before, on, or after the effective date of this Act.

SECTION 3.17. Provides that the changes in law made by this article to Articles 43.091 and 45.0491, Code of Criminal Procedure, apply to a sentencing proceeding that commences before, on, or after the effective date of this Act.

SECTION 3.18. Makes application of Articles 43.05 and 45.045, Code of Criminal Procedure, as amended by this article, prospective.

ARTICLE 4. REPEALERS AND CONFORMING AMENDMENTS

SECTION 4.01. Amends Section 3.506(c), Business and Commerce Code, to delete existing text relating to a reimbursement fee collected under Article 102.0071 (Justice Court Dishonored Check or Similar Sight Order), Code of Criminal Procedure, and to make conforming changes.

SECTION 4.02. Amends Article 42.037, Code of Criminal Procedure, by amending Subsection (g) and adding Subsections (g-1) and (g-2), as follows:

(g) Deletes existing text relating to a one-time restitution fee. Creates this subsection from existing Subdivisions (1)–(2).

(g-1) Creates this subsection from existing Subdivision (3) and redesignates existing Subsections (g)(4)(i)–(iii) as Subsections (g-2)(1)–(3).

(g-2) Makes no further changes to this subsection.

SECTION 4.03. Amends Article 42.0373(c), Code of Criminal Procedure, to make a conforming change.

SECTION 4.04. Amends Articles 45.056(d) and (h), Code of Criminal Procedure, as follows:

(d) Authorizes the court or governing body to pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the local truancy

prevention and diversion fund established under Section 134.156, Local Government Code, rather than the juvenile case manager fund pursuant to Article 102.0174.

(h) Makes conforming changes to this subsection.

SECTION 4.05. Amends the heading to Chapter 102, Code of Criminal Procedure, to read as follows:

CHAPTER 102. COSTS, FEES, AND FINES PAID BY DEFENDANTS

SECTION 4.06. Amends the heading to Subchapter A, Chapter 102, Code of Criminal Procedure, to read as follows:

SUBCHAPTER A. COSTS; REIMBURSEMENT FEES; FINES

SECTION 4.07. Amends Section 21.008(d), Government Code, to delete existing text relating to the child support and court management account of the judicial fund created by Section 21.007 (Child Support and Court Management Account).

SECTION 4.08. Amends Section 25.0593(k), Government Code, to delete existing text relating to a \$3 fee to be collected by the clerk and paid to the county treasury if a court reporter takes testimony.

SECTION 4.09. Amends Section 25.0594(1), Government Code, to make a conforming change.

SECTION 4.10. Amends Section 25.1572(h), Government Code, to require the clerk, in civil and probate cases in which a court reporter is required to take testimony, to assess a \$3 fee as costs in the case.

SECTION 4.11. Amends Section 25.2223(i), Government Code, to delete existing text relating to a \$3 fee taxed as costs in the case to be collected by the clerk and paid to the county treasury if a court reporter takes testimony.

SECTION 4.12. Amends Section 25.2702(d), Government Code, to require the clerk of the court to tax as costs, in each civil and probate case, rather than in each civil, criminal, and probate case, in which a record of any part of the evidence in the case is made by the reporter, a stenographer's fee of \$25.

SECTION 4.13. Amends Section 26.007(a), Government Code, to replace a reference to fees and costs with a reference to fees.

SECTION 4.14. Amends Section 26.008(a), Government Code, to make conforming and nonsubstantive changes.

SECTION 4.15. Amends Section 30.00014(g), Government Code, to delete existing text relating to a requirement that the defendant pay a fee for the preparation of the clerk's record.

SECTION 4.16. Amends Section 61.0015(c), Government Code, to require the comptroller to pay claims for reimbursement under this section (Reimbursement to County) quarterly to the county treasurer of each county that filed a claim from money collected under Subchapter B, Chapter 133, Local Government Code, rather than Article 102.0045 (Fee For Jury Reimbursement to Counties), Code of Criminal Procedure, and deposited in the jury service fund.

SECTION 4.17. Amends Section 101.0613, Government Code, as follows:

Sec. 101.0613. DISTRICT COURT FEES AND COSTS: HUMAN RESOURCES CODE. Removes fees and costs for filing a suit in Comal County from a list of fees and costs that the clerk of a district court is required to collect under the Human Resources Code and renumbers the following subdivisions accordingly.

SECTION 4.18. Amends Section 101.141(b), Government Code, to delete a filing fee for a suit in Comal County from a list of fees and costs under other laws that the clerk of a justice court is required to collect and to renumber the following subdivisions accordingly.

SECTION 4.19. Amends Section 101.181, Government Code, as follows:

Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS. Deletes existing Subdivisions (1) and (2) relating to certain fees and costs that a clerk of a municipal court of record is required to collect, deletes the designation of existing Subdivision (3), and makes nonsubstantive changes.

SECTION 4.20. Amends Section 102.021, Government Code, as follows:

Sec. 102.021. COURT COSTS ON CONVICTION: CODE OF CRIMINAL PROCEDURE. Creates this section from existing Subdivision (17), deletes existing Subdivisions (1)–(16) and (18) relating to certain costs a person convicted of an offense is required to pay, and makes nonsubstantive changes.

SECTION 4.21. Amends Section 102.0212, Government Code, as follows:

Sec. 102.0212. COURT COSTS ON CONVICTION: LOCAL GOVERNMENT CODE. Deletes certain costs from a list of costs that a person convicted of an offense is required to pay under the Local Government Code, increases certain costs on conviction, renumbers the following subdivisions accordingly, and makes nonsubstantive changes.

SECTION 4.22. Amends Section 103.021, Government Code, as follows:

Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: CODE OF CRIMINAL PROCEDURE. Deletes certain fees and costs from a list of fees and costs that an accused or defendant, or party to a civil suit, as applicable, is required to pay under the Code of Criminal Procedure if ordered by the court or otherwise required, renumbers the following subdivisions accordingly, and makes nonsubstantive changes.

SECTION 4.23. Amends Section 103.0211, Government Code, as follows:

Sec. 103.0211. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: GOVERNMENT CODE. Deletes certain fees and costs from a list of fees and costs that an accused or defendant, or party to a civil suit, as applicable, is required to pay under the Government Code if ordered by the court or otherwise required, specifies that a certain cost in a county court at law in McLennan County is for a civil case, renumbers the following subdivisions accordingly, and makes nonsubstantive changes.

SECTION 4.24. Amends Section 103.0212, Government Code, as follows:

Sec. 103.0212. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: FAMILY CODE. Deletes certain fees and costs from a list of fees and costs that an accused or defendant, or party to a civil suit, as applicable, is required to pay under the Family Code, if ordered by the court or otherwise required in juvenile court, renumbers the following paragraphs accordingly, and makes nonsubstantive changes.

SECTION 4.25. Amends Section 103.0213, Government Code, as follows:

Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: TRANSPORTATION CODE. Requires an accused or defendant, or party to a civil suit, as applicable, to pay an administrative fee on dismissal of charge of driving a commercial motor vehicle without a commercial driver's license or commercial learner's permit. Deletes existing text of Subdivisions (1)–(6) relating to certain other fees under the Transportation Code.

SECTION 4.26. Amends Section 103.0214, Government Code, as follows:

Sec. 103.0214. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: HEALTH AND SAFETY CODE. Deletes existing Subdivision (1) relating to a certain fee, deletes the designation of existing Subdivision (2), and redesignates existing Subdivisions (2)(A)-(E) as Subdivisions (1)-(5). Requires an accused or defendant, or party to a civil suit, as applicable, to pay certain court costs, rather than fees and costs, under the Health and Safety Code, if ordered by the court or otherwise required on a finding that an animal's owner has cruelly treated the animal. Makes nonsubstantive and conforming changes.

SECTION 4.27. Amends Section 103.024, Government Code, as follows:

Sec. 103.024. MISCELLANEOUS FEES AND COSTS: CODE OF CRIMINAL PROCEDURE. Deletes a certain cost from a list of fees and costs required to be paid or collected under the Code of Criminal Procedure, renumbers the following subdivision accordingly, and makes nonsubstantive changes.

SECTION 4.28. Amends Section 103.027(a), Government Code, as effective September 1, 2019, to delete certain fees and costs from a list of fees and costs required to be paid or collected under the Government Code, to renumber the following subdivisions accordingly, and to make nonsubstantive changes.

SECTION 4.29. Amends Section 103.0292, Government Code, as follows:

Sec. 103.0292. New heading: ADDITIONAL MISCELLANEOUS FEES: HEALTH AND SAFETY CODE. Replaces references to various fees with references to various reimbursement fees. Deletes existing text relating to a victim services fee.

SECTION 4.30. Amends Section 103.030, Government Code, as follows:

Sec. 103.030. MISCELLANEOUS FEES AND COSTS: LOCAL GOVERNMENT CODE. Deletes certain fees and costs from a list of fees and costs required to be paid or collected under the Local Government Code, renumbers the following subdivision accordingly, and makes nonsubstantive changes.

SECTION 4.31. Amends Section 123.006(c), Government Code, as follows:

(c) Requires a county to establish a drug court program under this section, notwithstanding Subsection (a), only if:

(1) the county receives federal or state funding specifically for that purpose, rather than receiving federal or state funding, including funding under Article 102.0178, Code of Criminal Procedure, specifically for that purpose; and

(2) makes no changes to this subdivision.

SECTION 4.32. Amends Section 411.145(c), Government Code, to delete existing text relating to money deposited to the state highway fund under Article 102.020(h) (relating to requiring that the comptroller deposit 35 percent of certain costs related to DNA testing collected to certain funds), Code of Criminal Procedure.

SECTION 4.33. Amends Section 420.008(b), Government Code, to provide that the sexual assault program fund consists of fees and fines, rather than fees, collected under:

(1) Article 42A.653(a) (relating to a community supervision fee paid by a defendant to the defendant's supervision officer), Code of Criminal Procedure;

(2) Section 508.189 (Parole Fee For Certain Releasees), Government Code; and

(3) Subchapter B (Fee Imposed on Certain Sexually Oriented Businesses), Chapter 102, Business & Commerce Code, and deposited under Section 102.054.

SECTION 4.34. Amends Section 133.055(b), Local Government Code, to provide that this subsection does not apply to fees or fines collected under Article 42A.303 (Substance Abuse Felony Program), rather than Article 42A.303 or 42A.653 (Additional Monthly Fee For Certain Sex Offenders), Code of Criminal Procedure, or under Section 76.013 (Restitution), Government Code.

SECTION 4.35. Amends Section 133.058(d), Local Government Code, to prohibit a county from retaining a service fee on the collection of a fee or fine, rather than on the collection of a fee, for certain purposes.

SECTION 4.36. Amends Section 203.003, Local Government Code, as follows:

Sec. 203.003. DUTIES OF COMMISSIONERS COURT. Deletes existing text relating to records management and preservation fees authorized under Article 102.005(d) (relating to a fee imposed for issuing certified and noncertified copies), Code of Criminal Procedure, and makes a nonsubstantive change.

SECTION 4.37. Amends Section 12.110(d), Parks and Wildlife Code, to delete existing text requiring the Texas Parks and Wildlife Department to transfer the proceeds of the sale of certain confiscated live game to the credit of the game, fish, and water safety account in certain circumstances.

SECTION 4.38. Amends Sections 542.402(b), (b-2), (d), and (d-1), Transportation Code, as follows:

(b) Replaces references to special expenses collected under Article 45.051, Code of Criminal Procedure, with references to fines collected under Article 45.051(a) (relating to a period of deferral without adjudication of guilt in certain misdemeanor cases), Code of Criminal Procedure.

(b-2), (d), and (d-1) Makes conforming changes to these subsections.

SECTION 4.39. Amends Section 706.005(a), Transportation Code, to make a conforming change.

SECTION 4.40. Repealer: Article 102.001(f) (relating to records of funds received in a municipal court), Code of Criminal Procedure.

Repealer: Article 102.001(h) (relating to remission of fees for services of peace officers to the comptroller), Code of Criminal Procedure.

Repealer: Article 102.0071 (Justice Court Dishonored Check or Similar Sight Order), Code of Criminal Procedure.

Repealer: Article 102.022 (Costs on Conviction to Fund Statewide Repository For Data Related to Civil Justice), Codes of Criminal Procedure.

Repealer: Section 202.005(c) (relating to application for and receipt of funds from the child support and court management account), Family Code.

Repealer: Section 202.005(d) (relating to reimbursement of compensation for a friend of the court), Family Code.

Repealer: Section 30.00014(f) (relating to a municipality's establishment of a fee for preparation of a clerk's record), Government Code.

Repealer: Section 30.00147(b) (relating to an appellate court docket fee paid to the municipal clerk), Government Code.

Repealer: Section 30.00147(g) (relating to a waiver of an appellate court docket fee if the defendant is unable to pay), Government Code.

Repealer: Section 54.313 (Costs of Magistrate), Government Code.

Repealer: Section 54.663 (Costs of Magistrate), Government Code.

Repealer: Section 54.745(b) (related to filing fees collected for pretrial diversion programs), Government Code.

Repealer: Section 54.745(c) (relating to deposit of filing fees into the general fund of the county treasury), Government Code.

Repealer: Section 54.883 (Costs of Magistrate), Government Code.

Repealer: Section 54.913 (Costs of Magistrate), Government Code.

Repealer: Section 54.983 (Costs of Magistrate), Government Code.

Repealer: Section 101.0813 (Statutory County Court Fees and Costs: Human Resources Code), Government Code.

Repealer: Section 102.0211 (Court Costs on Conviction: Government Code), Government Code.

Repealer: Section 102.0213 (Court Costs on Conviction: Transportation Code), Government Code.

Repealer: Section 102.0214 (Court Costs on Conviction: Parks and Wildlife Code), Government Code.

Repealer: Section 102.041 (Additional Court Costs on Conviction in District Court: Code of Criminal Procedure), Government Code.

Repealer: Section 102.0415 (Additional Court Costs on Conviction in District Court: Government Code), Government Code.

Repealer: Section 102.042 (Additional Court Costs on Conviction in District Court: Human Resources Code), Government Code.

Repealer: Section 102.061 (Additional Court Costs on Conviction in Statutory County Court: Code of Criminal Procedure), Government Code.

Repealer: Section 102.0615 (Additional Court Costs on Conviction in Statutory County Court: Government Code), Government Code.

Repealer: Section 102.062 (Additional Court Costs on Conviction in Statutory County Court: Human Resources Code), Government Code.

Repealer: Section 102.081 (Additional Court Costs on Conviction in County Court: Code of Criminal Procedure), Government Code.

Repealer: Section 102.082 (Additional Court Costs on Conviction in County Court: Government Code), Government Code.

Repealer: Section 102.101 (Additional Court Costs on Conviction in Justice Court: Code of Criminal Procedure), Government Code.

Repealer: Section 102.103 (Additional Court Costs on Conviction in Justice Court: Human Resources Code), Government Code.

Repealer: Section 102.121 (Additional Court Costs on Conviction in Municipal Court: Code of Criminal Procedure), Government Code.

Repealer: Section 102.142 (Additional Court Costs in Municipal Court of Record: Government Code), Government Code.

Repealer: Section 123.003(b) (relating to entitling a county or municipality that elects to establish a regional drug court program to retain fees), Government Code.

Repealer: Section 124.004(b) (relating to entitling a county that elects to establish a regional veterans treatment court program to retain fees), Government Code.

Repealer: Section 129.005(b) (relating to entitling a county that elects to establish a regional public safety employees treatment court program to retain fees), Government Code.

Repealer: Section 152.0522 (Comal County Juvenile Placement Special Fund), Human Resources Code.

Repealer: Section 133.103(b) (relating to the collection and deposit of 50 percent of time payment fees collected to the general revenue fund), Local Government Code.

Repealer: Section 133.103(d) (relating to the collection and deposit of the remainder of time payment fees collected to the general revenue fund of a county or municipality), Local Government Code.

Repealer: Section 12.110(b) (relating to requiring expenses for storage of an unlawfully possessed animal to be assessed against the violator upon conviction), Parks and Wildlife Code.

ARTICLE 5. TRANSITION AND EFFECTIVE DATE

SECTION 5.01. Makes application of this Act prospective, except as otherwise provided by this Act. Provides that, for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 5.02. Provides that Article 45.051(a-1), Code of Criminal Procedure, as reenacted and amended by this Act, applies to a sentencing proceeding that commences before, on, or after the effective date of this Act.

SECTION 5.03. Provides that, to the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5.04. Effective date: January 1, 2020.