

1-1 By: Fletcher, et al. (Senate Sponsor - Whitmire) H.B. No. 121
1-2 (In the Senate - Received from the House May 5, 2015;
1-3 May 6, 2015, read first time and referred to Committee on Criminal
1-4 Justice; May 13, 2015, reported favorably by the following vote:
1-5 Yeas 6, Nays 1; May 13, 2015, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Whitmire	X		PNV
1-9	Huffman		X	
1-10	Burton	X		
1-11	Creighton	X		
1-12	Hinojosa	X		
1-13	Menéndez	X		
1-14	Perry	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to an alternative means of payment of certain past due
1-18 criminal fines and court costs.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Chapter 103, Code of Criminal
1-21 Procedure, is amended to read as follows:

1-22 CHAPTER 103. PAYMENT, COLLECTION, AND RECORDKEEPING

1-23 SECTION 2. Chapter 103, Code of Criminal Procedure, is
1-24 amended by adding Article 103.0025 to read as follows:

1-25 Art. 103.0025. ALTERNATIVE PAYMENT PROCEDURE FOR CERTAIN
1-26 PAST DUE FINES AND COSTS. (a) This article applies to a
1-27 defendant's past due payment on a judgment for a fine and related
1-28 court costs if a capias pro fine has been issued in the case.

1-29 (b) Notwithstanding any other provision of law, the court
1-30 may adopt an alternative procedure for collecting a past due
1-31 payment described by Subsection (a). Under the procedure, a peace
1-32 officer who executes a capias pro fine or who is authorized to
1-33 arrest a defendant on other grounds and knows that the defendant
1-34 owes a past due payment described by Subsection (a):

1-35 (1) shall inform the defendant of:

1-36 (A) the possibility of making an immediate
1-37 payment of the fine and related court costs by use of a credit or
1-38 debit card; and

1-39 (B) the defendant's available alternatives to
1-40 making an immediate payment; and

1-41 (2) may accept, on behalf of the court, the defendant's
1-42 immediate payment of the fine and related court costs by use of a
1-43 credit or debit card, after which the peace officer may release the
1-44 defendant as appropriate based on the officer's authority for the
1-45 arrest.

1-46 (c) A peace officer accepting a payment under Subsection
1-47 (b)(2) may also accept payment for fees for the issuance and
1-48 execution of the capias pro fine.

1-49 SECTION 3. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2015.

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