

1-1 By: Birdwell S.B. No. 527  
 1-2 (In the Senate - Filed January 19, 2017; February 8, 2017,  
 1-3 read first time and referred to Committee on Criminal Justice;  
 1-4 April 27, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 27, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 527 By: Whitmire

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to a defendant's payment of costs associated with a  
 1-22 court-appointed counsel.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Article 26.05, Code of Criminal Procedure, is  
 1-25 amended by adding Subsection (g-1) to read as follows:

1-26 (g-1)(1) This subsection applies only to a defendant who at  
 1-27 the time of sentencing to confinement or placement on community  
 1-28 supervision, including deferred adjudication community  
 1-29 supervision, did not have the financial resources to pay the  
 1-30 maximum amount described by Subsection (g)(1) or (2), as  
 1-31 applicable, for legal services provided to the defendant.

1-32 (2) At any time during a defendant's sentence of  
 1-33 confinement or period of community supervision, the judge, after  
 1-34 providing written notice to the defendant and an opportunity for  
 1-35 the defendant to present information relevant to the defendant's  
 1-36 ability to pay, may order a defendant to whom this subsection  
 1-37 applies to pay any unpaid portion of the amount described by  
 1-38 Subsection (g)(1) or (2), as applicable, if the judge determines  
 1-39 that the defendant has the financial resources to pay the  
 1-40 additional portion.

1-41 (3) The judge may amend an order entered under  
 1-42 Subdivision (2) if, subsequent to the judge's determination under  
 1-43 that subdivision, the judge determines that the defendant is  
 1-44 indigent or demonstrates an inability to pay the amount ordered.

1-45 (4) In making a determination under this subsection,  
 1-46 the judge may only consider the information a court or courts'  
 1-47 designee is authorized to consider in making an indigency  
 1-48 determination under Article 26.04(m).

1-49 (5) Notwithstanding any other law, the judge may not  
 1-50 revoke or extend the defendant's period of community supervision  
 1-51 solely to collect the amount the defendant has been ordered to pay  
 1-52 under this subsection.

1-53 SECTION 2. This Act takes effect September 1, 2017.

1-54 \* \* \* \* \*