

AN ACT

relating to fees charged by a justice of the peace for certain documents in a criminal case.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 118.124, Local Government Code, is amended to read as follows:

Sec. 118.124. PROHIBITED FEES. A justice of the peace is not entitled to a fee for:

(1) the examination of a paper or record in the justice's office;

(2) filing any process or document the justice issues that is returned to court;

(3) a motion or judgment on a motion for security for costs; [~~or~~]

(4) taking or approving a bond for costs; or

(5) the first copy of a document in a criminal case issued to:

(A) a criminal defendant in the case;

(B) an attorney representing a criminal defendant in the case; or

(C) a prosecuting attorney.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 409

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2009. \_\_\_\_\_

David Newkirk  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 409 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0. \_\_\_\_\_

Latsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 409 passed the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, one present not voting. \_\_\_\_\_

Robert Haney  
Chief Clerk of the House

Approved:

27 MAY '09  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
 SECRETARY OF STATE  
 5:02 O'CLOCK

Hope Radtke  
Secretary of State