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AN ACT

relating to conducting by electronic means a hearing to determine a defendant's ability to discharge certain fines and court costs.

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

SECTION 1. Article 43.03, Code of Criminal Procedure, is amended by adding Subsection (f) to read as follows:

(f) For purposes of a hearing described by Subsection (d), a defendant may be brought before the court in person or by means of an electronic broadcast system through which an image of the defendant is presented to the court. For purposes of this subsection, "electronic broadcast system" means a two-way electronic communication of image and sound between the defendant and the court and includes secure Internet videoconferencing.

SECTION 2. Article 45.046, Code of Criminal Procedure, is amended by adding Subsection (c) to read as follows:

(c) For purposes of a hearing described by Subsection (a), a defendant may be brought before the court in person or by means of an electronic broadcast system through which an image of the defendant is presented to the court. For purposes of this subsection, "electronic broadcast system" means a two-way electronic communication of image and sound between the defendant and the court and includes secure Internet videoconferencing.

SECTION 3. The change in law made by this Act applies only to a hearing held under Article 43.03 or 45.046, Code of Criminal

S.B. No. 414

1 Procedure, on or after the effective date of this Act. A hearing
2 held under Article 43.03 or 45.046, Code of Criminal Procedure,
3 before the effective date of this Act is governed by the law in
4 effect at the time of the hearing, and the former law is continued
5 in effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2009. _____

David Newkum
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 414 passed the Senate on
May 7, 2009, by the following vote: Yeas 31, Nays 0. _____

Patricia Spaw
Secretary of the Senate

I hereby certify that S.B. No. 414 passed the House on
May 26, 2009, by the following vote: Yeas 144, Nays 0, one present
not voting. _____

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

Colby Shuter III