STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Assessment of Court Costs in Multiple-Count Criminal Actions

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, criminal defendants are often convicted of multiple counts of an offense or offenses in a single criminal action; and

WHEREAS, the Texas Attorney General recently addressed the assessment of criminal court costs in such multiple-count criminal actions (Att'y Gen. Op. No. GA-1063 (2014)); and

WHEREAS, the attorney general suggested that costs not based on the performance of a particular service should be assessed on each count; and

WHEREAS, criminal court costs are "a nonpunitive recoupment of the costs of judicial resources expended in connection with the trial of [a] case" (*Weir v. State*, 278 S.W.3d 364, 366-67 (Tex. Crim. App. 2009)); and

WHEREAS, the assessment of court costs on each count is unnecessary to recoup the costs of judicial resources expended in connection with the trial of the case;

NOW THEREFORE, BE IT RESOLVED, that the Texas Judicial Council requests the Texas Legislature to establish that court costs be assessed only once multi-count criminal actions.

Honorable Nathan L. Hecht
Chairman, Texas Judicial Council

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