

BILL ANALYSIS

Senate Research Center
78R3989 JRD-D

S.B. 458
By: Armbrister
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Cities and counties feel that it is important that legislators be fully informed of the impact that a small change or addition to court costs or fees will have on the total amount charged to an offender. Fiscal notes prepared on proposed legislative actions always consider the impact of the particular fund by itself, without considering the impact to the total court costs to be collected from an offender. It is difficult to know the overall impact and result from one action when it is considered singularly. Cities and counties feel that if the total court cost for a criminal offense were made clear in the fiscal note, it is possible that some rate change or implementations might be reconsidered. As proposed S.B. 458 provides that in addition to the impact and fiscal impact of the change or addition alone, the total impact of the change to the court costs imposed on an offender should be indicated to give a complete picture of the effect of the change or addition.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading of Chapter 319, Government Code, to read as follows:

Chapter 319. LEGISLATION REGARDING JUDICIAL SYSTEM

SECTION 2. Amends Sections 319.001-319.004, Government Code, by designating those sections as Chapter 319A and adding a heading to read as follows:

SUBCHAPTER A. JUDICIAL SYSTEM IMPACT NOTES

SECTION 3. Amends Chapter 319, Government Code, by adding Subchapter B, as follows:

SUBCHAPTER B. LEGISLATION RELATING TO COURT COSTS

Sec. 319.021. IMPACT STATEMENT ON LEGISLATION IMPOSING COURT COSTS ON CRIMINAL DEFENDANTS. (a) Requires the state auditor to prepare an impact statement for each resolution proposing a constitutional amendment or bill that proposes imposing a new court cost or fee on a person charged with criminal offense or increasing the amount of an existing court cost or fee imposed on a person charged with a criminal offense, including a court cost or fee imposed on conviction or other disposition or postponed disposition of the criminal charge.

(b) Requires the impact statement to show the total amount of court costs and fees that persons will be required to pay under the bill or resolution when considered together with all other applicable laws.

(c) Requires the state auditor to deliver a copy of the impact statement to the author of the bill or resolution and to each member of a legislative committee to which the bill or resolution is referred by the fifth day after the date the bill or resolution is referred to the committee.

SECTION 4. Effective date: September 1, 2003.