

BILL ANALYSIS

S.B. 782
By: Armbrister
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, counties and cities are allowed to contract with outside vendors for the collection of fines, fees, restitution and other costs ordered by a court and to add a 30 percent collection fee to each debt or receivable more than 60 days past due. Senate Bill 782 authorizes a county or municipality to contract for collection services in criminal cases and certain cases involving the parking or stopping of motor vehicles.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Senate Bill 782 amends the Code of Criminal Procedure to specify the items for which the commissioners court of a county or the governing body of a municipality may enter into a contract with a private attorney or a public or private vendor for the provision of collection services. The collection fee does not apply to a case that has been dismissed by a court or to any amount that has been satisfied through time-served credit or community service. The bill addresses provisions governing the application and calculation of the fee and specifies that the governing body of a municipality with a population of more than 1.9 million may authorize the addition of collection fees for a collection program performed by employees of the governing body.

Furthermore, the bill sets deadlines for items that are subject to collection services. A forfeited bond is not subject to collection services.

The bill also amends the Transportation Code to allow enforcement for certain financial penalties under this chapter following a failure by the person charged to appear within the time specified by a municipality's ordinance, resolution, rule, or order.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.