

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 10, 2003

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB247 by Pitts (Relating to collection of a check processing fee on behalf of a holder of a dishonored check.), **As Introduced**

No fiscal implication to the State is anticipated.
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The bill would amend the Code of Criminal Procedure to require the county attorney, district attorney, criminal district attorney, or justice court to collect the check processing fee authorized by Section 3.506, Business and Commerce Code, for the benefit of the holder to whom a dishonored check was written, in addition to fees the attorneys may collect to cover their own collection and processing expenses. Under current statute, attorneys may collect fees for the benefit of the holder, but are not required to do so. The bill would take effect September 1, 2003 and would apply only to offenses committed on or after the effective date.

Local Government Impact

Courts where the applicable officials do not currently collect the fee or only collect the fee infrequently could experience an increase in costs related to collecting the fee and forwarding or disbursing it to the recipients. These administrative costs would vary depending on the number of dishonored check cases that are prosecuted, but would likely be insignificant.

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office Of Court Administration, Texas Judicial Council

LBB Staff: JK, WK, JB, DLBa