

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 21, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB3307** by Capelo (Relating to fees to assist in funding drug court programs.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would require a county court, in a county that has established a drug court, to assess a personal bond fee of \$20 or 6 percent of the amount of the bail fixed for the accused, whichever is greater. In a county that has a drug court, one-half of the personal bond fee collected would be used to defray expenses of the personal bond office and one-half would be used to defray the expenses of the drug court program. The bill would take effect September 1, 2003 and would apply only to fees collected on or after that date.

Current law requires courts to assess a personal bond fee of \$20 or 3 percent of the amount of the bail fixed for an accused, whichever is greater and the fees are used solely to defray expenses of the personal bond office. Under the provisions of the bill, in courts in a county that does not have a drug court, there would be no change in fees charged or the use of the fees. Under the provisions of the bill, the percent that could be assessed for a personal bond fee would double in courts in a county that has a drug court program, and one-half of those fees collected would go toward defraying costs of the drug court program.

As an example of the possible fiscal impact, Dallas County reports that approximately 2,000 personal bonds are issued annually. For \$20 to be the greater of the amounts allowable (\$20 or 6 percent), the bail would have to be \$335 or lower. The average amount set for a personal bond in Dallas County is \$1,000, six percent of which is \$60. The county would experience an annual revenue gain of \$120,000 (2000 bonds X \$60), as opposed to \$60,000 currently collected at 3 percent, providing \$60,000 for the drug court program annually.

The increase in revenue in counties with a drug court program would vary depending on how many personal bonds are issued and in what amounts.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

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