

BILL ANALYSIS

C.S.H.B. 1470
By: Hegar
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Article 103.003, Code of Criminal Procedure governs the collection of monies owed in a criminal case. Under current law, district and county attorneys, clerks of district and county courts, sheriffs, constables, and justices of the peace may collect fines and fees owed a county resulting from a criminal matter. Additionally, a Community Supervision and Correction Department (CSCD) serving a county with a population of 2.8 million or more may collect fines and fees or a county may contract for private collection services. H.B.1470 removes the population bracket under Article 103.003, Code of Criminal Procedure and allows for a CSCD to coordinate with the clerk of the court or fee officer for the collection of monies owed.

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

The bill removes from Article 103.003(b) of the Code of Criminal Procedure the county population requirement of 2.8 million for the collection by a community supervision and corrections department of money payable under the code. The new provision would require approval of the clerk of the court or fee officer before money would be collectible. However, it would allow the collection of money payable as otherwise provided by law without such approval.

EFFECTIVE DATE

Immediately upon receipt of required vote, otherwise September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds the requirement that the approval be written on line 9.