

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 1, 2005

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

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB85 by Riddle (Relating to the release on bond of certain criminal defendants.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would require the court officer receiving funds for a bail bond or a cash bond to deposit those funds into an interest-bearing account and would allow the county to retain interest earned to cover administrative costs. The bill would also authorize the county to impose a fee, not to exceed 10 percent of the amount deposited, for administrative costs. Upon compliance by a defendant with the conditions of the bond, the amount deposited, less any amounts retained, would be returned to the defendant. Additionally, the bill would authorize a magistrate to release a defendant on bail by permitting the defendant to deposit an amount of cash bond or to submit a bail bond that is less than the total amount of bail set if the full amount would cause the defendant a hardship.

The bill would take effect September 1, 2005 and would apply only to an offense committed on or after that date.

Counties that provided data on the potential fiscal impact of the bill indicated that there would be costs involved with initially establishing a system for implementing provisions of the bill, but once established, operational costs would likely be offset by the fees charged and interest earned.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, KJG, DLBa