

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**February 16, 2005**

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

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

**IN RE: HB375** by Casteel (Relating to the collection of fines and costs imposed in a criminal case following a defendant's default in payment.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure to authorize a court in a criminal case in which a defendant defaults on payment of fines and fees to order collection by execution against the defendant's property in the same manner as a judgment in a civil suit. The bill would take effect September 1, 2005 and would apply only to cases for which the offense occurred on or after that date.

Under current statute, municipal and justice courts have authority to take the actions described in the bill. Provisions of the bill would extend the authority to county-level and district courts. According to the Office of Court Administration, county-level and district courts would experience a positive fiscal impact as a result of enactment of the bill. A sample of district and county clerks contacted by the Legislative Budget Board indicated the impact would be insignificant.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JOB, KJG, DLBa