

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 22, 2005

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

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

IN RE: HB1470 by Hegar (Relating to the collection of certain administrative fees by a community supervision and corrections department.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would authorize a community supervision and corrections department (CSCD) to collect money payable under Chapter 103, Code of Criminal Procedure and payable as otherwise provided by law with the written approval of the clerk of the court or fee officer. The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Current statute authorizes only a CSCD in a county with a population of 2.8 million or more to collect money as indicated, and approval by the court clerk is not required. Based on the 2000 federal census, the statute applies only to Harris County.

Local Government Impact

According to the Texas Probation Association, there are already CSCDs in addition to the Harris County CSCD in which the courts authorize the CSCD to collect fees. Provisions of the bill would have no fiscal impact on those CSCDs or those counties. For the CSCDs that do not currently collect fees, if the court clerk or fee officer were to approve and the CSCD began to collect the fees, it is anticipated that the CSCD would incur costs of hiring additional full-time-equivalent positions and of the associated administrative duties. Anticipated savings to the county for no longer collecting moneys and the costs to the CSCD for assuming the responsibility would likely be equivalent. CSCDs, however, are not funded by the county; therefore, it would not be a shift in county expenses, but rather a savings to the county and a cost to the CSCD. The fiscal impact would vary by county and by CSCD.

Source Agencies:

LBB Staff: JOB, JB, DLBa