

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB485 by Van Arsdale (Relating to the collection and amount of restitution authorized to be collected from persons charged with or convicted of certain misdemeanor offenses.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Penal Code to authorize a court to approve collection of restitution for bad checks to be made by a peace officer at the time the officer executes a warrant against the person charged with passing the bad checks.

The bill would amend the Code of Criminal Procedure by raising the limit on the amount of restitution that may be required be paid to a victim of a bad check offense from \$500 to \$5,000.

Local Government Impact

The fiscal impact to a local government entity related to collection of restitution for bad checks at the time a warrant is served would vary depending on the number of such warrants served in which an officer would collect the restitution at the time of serving the warrant, as well as what procedures would be implemented to accomodate this change in practice. If a court were to approve collection by the officer serving the warrant and if the officer were to make those collections, there would be an increase in costs for the officer's time, but a decrease in use of county jails and court time. However, based on feedback from local governments, it is not anticipated that many would choose to implement that provision.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ES, DB