

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 2, 2007**

**TO:** Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

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

**IN RE: HB3060** by Pena (Relating to issuance by a court of a capias or a capias pro fine.), **As Engrossed**

<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 county-level courts and district courts to issue a capias pro fine (an arrest warrant for unpaid fines and costs) for the arrest of persons who have failed to pay assessed fines, fees, and court costs and to impose a \$50 fee for executing or processing the capias. Current law gives this explicit authority only to justice and municipal courts. The bill would also make certain nonsubstantive conforming amendments and other conforming repeals.

The bill would take effect September 1, 2007.

**Local Government Impact**

The fiscal impact related to authorizing county-level and district courts to issue a capias pro fine and to impose a \$50 fee would vary, depending on the number of applicable cases and collection rates; however, the fiscal impact is not anticipated to be significant.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

**LBB Staff:** JOB, MN, ES, DB