

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

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

IN RE: HB3336 by Burnam (Relating to restitution payments ordered by juvenile courts.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Section 54.0481 to Chapter 54, Family Code, to require a juvenile probation department that receives a payment to a victim as the result of a juvenile court order for restitution to immediately deposit the payment in an interest-bearing account in the county treasury and to notify the victim by certified mail sent to the last known address to let the victim know that a payment has been received. The department would be required to promptly remit the payment to the victim when they make a claim for payment. On or before the fifth anniversary of the date the department receives a payment that is not claimed, the department would be required to confirm the efforts made to get the payment to the victim and then to transfer the payment to a special fund of the county treasury. The county would be authorized to spend the money in that fund only for the same purposes for which the county may spend juvenile state aid.

The bill would apply only to a restitution payment received on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

The fiscal impact would vary by county depending on how many juvenile defendants are required to pay victim restitution and the amounts collected and unclaimed.

The Bexar County Juvenile Probation Department estimates that costs involved with implementing the provisions of the bill would be approximately \$11,200 annually. The department estimates there would be \$2,000 in unclaimed funds each year.

The Harris County Juvenile Probation Department already uses a similar procedure as that required in the bill; therefore, the fiscal impact to the department and to the county would not be significant.

The Jefferson County Juvenile Probation Department indicates that provisions of the bill would have no fiscal impact for the department or the county.

The Tom Green County Juvenile Probation Department reports that there are very few cases in which the department has been unable to contact victims and therefore, the department does not anticipate any significant fiscal impact.

Source Agencies: 665 Juvenile Probation Commission

LBB Staff: JOB, MN, DB