

BILL ANALYSIS

H.B. 588
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Local Government Code directs a justice of the peace to collect fees for providing documents held by the court. Specifically, the fees are one dollar for the first page of a non-certified copy and 25 cents for each additional page. In practice, many justices of the peace do not charge criminal defendants, their attorneys, or prosecutors for copies of papers in the court's files. However, a strict reading of the statute seems to require that copy charges be assessed.

H.B. 588 exempts from fees charged by a justice of the peace the first copy of a document to a criminal defendant, an attorney representing a criminal defendant, or a prosecuting attorney.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 588 amends the Local Government Code to add the first copy of a document in a criminal case issued to a criminal defendant in the case, an attorney representing a criminal defendant in the case, or a prosecuting attorney to the services for which a justice of the peace is not entitled to a fee.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.