

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 19, 2009**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB2272** by Gutierrez (Relating to the collection of fines and costs imposed in a criminal case following a defendant's default in payment.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Article 43.03(a) of the Code of Criminal Procedure to authorize a judge to order that any unpaid criminal court costs and fines be collected by execution against the defendant's property in the same manner as a judgment in a civil suit. This collection-via-execution procedure is already available to judges under Article 43.07 of the Code of Criminal Procedure. According to the Office of Court Administration (OCA) , this bill does not appear to give judges any additional collection tool and no fiscal implication to the state is anticipated.

The proposed changes to statute would apply only to a defendant sentenced to pay a fine or costs for convicted of an offense committed on or after the effective date of the bill. The bill would take effect September 1, 2009.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JOB, ESi, JI, JJO, TP