

By: Cook

H.B. No. 2949

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the collection improvement program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Articles 103.0033(f), (h), (i), and (j), Code of Criminal Procedure, are amended to read as follows:

(f) The ~~[comptroller, in cooperation with the]~~ office~~[,~~ shall develop a methodology for determining the collection rate of counties and municipalities described by Subsection (e) before implementation of a program. The office ~~[comptroller]~~ shall determine the rate for each county and municipality not later than the first anniversary of the county's or municipality's adoption of a program.

(h) The office~~[, in consultation with the comptroller,]~~ may:

(1) use case dispositions, population, revenue data, or other appropriate measures to develop a prioritized implementation schedule for programs; and

(2) determine whether it is not cost-effective to implement a program in a county or municipality and grant a waiver to the county or municipality.

(i) Each county and municipality shall at least annually submit to the office ~~[and the comptroller]~~ a written report that includes updated information regarding the program, as determined

1 by the office [~~in cooperation with the comptroller~~]. The report
2 must be in a form approved by the office [~~in cooperation with the~~
3 ~~comptroller~~].

4 (j) The office [~~comptroller~~] shall periodically audit
5 counties and municipalities to verify information reported under
6 Subsection (i) and confirm that the county or municipality is
7 conforming with requirements relating to the program. [~~The~~
8 ~~comptroller shall consult with the office in determining how~~
9 ~~frequently to conduct audits under this section.~~]

10 SECTION 2. Sections 133.103(b) and (c), Local Government
11 Code, are amended to read as follows:

12 (b) The [~~Except as provided by Subsection (c-1), the~~]
13 treasurer shall send 50 percent of the fees collected under this
14 section to the comptroller. The comptroller shall deposit the fees
15 received to the credit of the general revenue fund.

16 (c) The [~~Except as provided by Subsection (c-1), the~~]
17 treasurer shall deposit 10 percent of the fees collected under this
18 section in the general fund of the county or municipality for the
19 purpose of improving the efficiency of the administration of
20 justice in the county or municipality. The county or municipality
21 shall prioritize the needs of the judicial officer who collected
22 the fees when making expenditures under this subsection and use the
23 money deposited to provide for those needs.

24 SECTION 3. Sections 133.058(e) and 133.103(c-1), Local
25 Government Code, are repealed.

26 SECTION 4. This Act takes effect September 1, 2011.