

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 10, 2011**

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

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

**IN RE: HB152** by Raymond (Relating to the fees collected by prosecutors for collection and processing of certain checks or similar sight orders.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to authorize an increase in fees that a prosecutor can collect for processing certain checks or similar sight orders. Under current law, prosecuting attorneys may collect a fee from persons convicted of passing hot checks. The amount of the fee varies depending on the amount of the hot check; the higher the amount of the check, the higher the fee. The revenue from fees collected remain in the county and are expended at the sole discretion of the prosecutor to defray the salaries and expenses of the prosecutor's office, with the exception of the salary of the elected prosecutor. Accordingly, the bill would not have a fiscal impact on the State.

The bill would take effect September 1, 2011.

**Local Government Impact**

There could be significant additional fee revenue to a county, but the amounts would vary depending on the amount of the fee set, the number of hot checks or similar sight orders and the amount of the hot check processed by a prosecutor's office.

Dallas County reported the additional fee revenue could increase from \$300,000 to potentially \$600,000. The revenue collected through the fees would be at the discretion of the District Attorney and would not have a significant fiscal impact on the county as a whole.

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

**LBB Staff:** JOB, ESi, TP, TB