

BILL ANALYSIS

Senate Research Center
83R16838 JSC-D

C.S.S.B. 387
By: Nichols
Jurisprudence
3/26/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 79th Texas Legislature, in 2005, created the mandatory county debt collection program. Under this program, all counties with a population over 50,000 were required to hire at least one county debt collector for court costs, fines, and fees.

Current law allows counties with a population of less than 50,000 to hire the services of a third-party collection service company. C.S.S.B. 387 amends current statute allow Cherokee County to opt out of the state-mandated program.

C.S.S.B. 387 is a local bill that pertains only to Cherokee County. This bill gives Cherokee County another option to collect these fines, which in most cases will allow for a more effective and efficient local government.

C.S.S.B. 387 amends current law relating to county participation in a program for improvement of collection of court costs, fees, and fines imposed in criminal cases.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 103.0033, Code of Criminal Procedure, by amending Subsection (c) and adding Subsection (h-1), as follows:

(c) Requires each county and municipality, unless granted a waiver under Subsection (h)(2) or (h-1), rather than Subsection (h) (relating to authorizing the Office of Court Administration of the Texas Judicial System (office) to use case dispositions, population, revenue data, or other certain programs for certain purposes), to develop and implement a program that complies with the prioritized implementation schedule under Subsection (h)(1), rather than Subsection (h).

(h-1) Requires the office to grant a waiver to a county that contains within its borders a correctional facility operated by or under contract with the Texas Department of Criminal Justice and has a population of 50,000 or more only because the inmate population of all correctional facilities described by Subdivision (1) is included in that population.

SECTION 2. Effective date: upon passage or September 1, 2013.