

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 8, 2013

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1552 by Rodriguez, Justin (Relating to the authority of the commissioners court of a county to create a law enforcement technology fund and to require certain defendants to pay court costs for deposit in the fund; authorizing a fee.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Article 102 and the Government Code, Chapter 102 to authorize a county commissioners court to create a law enforcement technology fund. If created, a defendant convicted of a misdemeanor offense in a justice or county court at law would be required to pay a \$2 law enforcement technology fee as a court cost. The court clerks would be required to collect the fee and remit it to the county treasurer, or another official for deposit in the fund. A law enforcement technology fund would be administered by the commissioners court and could only be used to finance the purchase and maintenance or technological enhancements for a county law enforcement agency.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

The Office of Court Administration and the Comptroller of Public Accounts do not anticipate a significant impact to the state as a result of changes made by the bill.

Local Government Impact

The Office of Court Administration (OCA) estimates new annual revenue of \$1,949,796 to counties statewide, assuming all counties adopt the new fee. The OCA's estimate is based on the number of applicable cases in justice courts (1,315,891) and county courts at law (298,922) to which the \$2 fee applies. Assuming average collection rate (65% for justice courts and 40% for county courts at law), this amounts to \$1,710,658 for justice courts and \$239,138 for county courts at law, for a statewide total of \$1,949,796.

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

LBB Staff: UP, ESi, JI, JJO, KKR