

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 22, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3030 by Fletcher (Relating to payment of misdemeanor warrants and capias pro fine warrants.), **As Introduced**

The bill would have a positive but indeterminate fiscal implication; the number of defendants who would choose the option provided in the legislation cannot be estimated at this time.

The bill would amend the Code of Criminal Procedure regarding the payment of misdemeanor and capias pro fine warrants. An arresting sheriff, peace officer, or jailer would be authorized to release a defendant in a misdemeanor case if the defendant pays the court costs and fines with a credit or debit card. A defendant that is jailed as a result of a capias pro fine warrant would be authorized to pay the fine and court costs with a credit or debit card in order to have the warrant withdrawn and be released from confinement.

The bill would have a positive fiscal impact on counties and the state because the work of law enforcement and the courts associated with activities after a capias pro fine is executed would be greatly reduced. The bill would also increase the collection rate of court costs and fees for defendants of misdemeanor cases and those issued warrants for capias pro fines. However, the number of defendants who would choose this option cannot be determined and therefore the fiscal impact is indeterminate.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

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

LBB Staff: UP, ESj, KKR