

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 31, 2013**

**TO:** Honorable Royce West, Chair, Senate Committee on Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB387 by Nichols (Relating to county participation in a program for improvement of collection of court costs, fees, and fines imposed in criminal cases.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure, Article 103 to require that the Office of Court Administration (OCA) provide a waiver from participation in the Collection Improvement Program (CIP) if the county has a population of 50,000 or more due to the inmate population of a correctional facility within its borders. According to OCA, this bill currently applies Anderson County and Cherokee County. It could apply to Rusk County in the future. The OCA and the Comptroller of Public Accounts (CPA) indicate a small but not significant state revenue loss. The agencies estimate the revenue loss to be \$90,000 to \$146,000 per fiscal year depending on the affected counties.

This 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.

**Local Government Impact**

The bill would allow Cherokee County and Anderson County to obtain a waiver from participation in the Collection Improvement Program operated by the OCA. The OCA noted that Rusk County may also be eligible for the waiver if the inmate population falls by 16 people in that county.

OCA reported that counties would see revenue losses associated with no participating in the collections program. OCA estimated these losses at \$125,354 for Anderson County and \$49,226 for Cherokee County. Rusk County could not be independently calculated, but the OCA assumes losses would be similar to those for Cherokee County.

These estimates assume that the counties seek to obtain waivers from OCA.

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

**LBB Staff:** UP, CL, ZS, JJO, JP, KKR, ESi