

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 8, 2015

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB121 by Fletcher (Relating to an alternative means of payment of certain past due criminal fines and court costs.), **As Engrossed**

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 past due payments for a fine and related court costs if a capias pro fine has been issued in the case. The bill would authorize a court to adopt an alternative procedure for collecting past due payments using credit or debit cards on a judgment for a fine and related court costs if a capias pro fine has been issued. When making an arrest, peace officers would be required to inform defendants of the possibility of making an immediate payment through this alternative collection procedure and would authorize the peace officer to collect that payment immediately.

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 past due 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.

The bill would take effect upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2015.

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

LBB Staff: UP, KJo, MW, GDz