

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 17, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB121 by Fletcher (Relating to an alternative means of payment of certain criminal fines and court costs.), **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. The bill would authorize a court to adopt an alternative procedure for collecting outstanding payments using credit or debit cards from fines and court costs associated with class C misdemeanors and convictions for any offense 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 for court costs and fines by credit or debit card through this alternative collection procedure. The bill would authorize the peace officer to collect the 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 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

LBB Staff: UP, KJo, MW, GDz