

By: Shaheen

H.B. No. 736

A BILL TO BE ENTITLED

AN ACT

relating to the maintenance of information entered into a fee record.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 103, Code of Criminal Procedure, is amended by adding Article 103.0081 to read as follows:

Art. 103.0081. UNCOLLECTIBLE FEES. (a) Any officer authorized by this chapter to collect a fee or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fee or item of cost imposed in the action or proceeding is uncollectible if the officer believes:

(1) the defendant is deceased;

(2) the defendant is serving a sentence for imprisonment for life or life without parole; or

(3) the fee has been unpaid for at least 10 years.

(b) On a finding by a court that any condition described by Subsections (a)(1)-(3) is true, the court may order the officer to designate the fee or item of cost as uncollectible in the fee record. The officer shall attach a copy of the court's order to the fee record.

SECTION 2. Subchapter G, Chapter 51, Government Code, is amended by adding Section 51.609 to read as follows:

Sec. 51.609. UNCOLLECTIBLE FEES. (a) The clerk may request the court in which a court cost or fee was imposed on a party in a

1 civil case to make a finding that the cost or fee is uncollectible  
2 if the cost or fee has been unpaid for at least 20 years.

3 (b) On a finding by a court that a court cost or fee imposed  
4 on a party in a civil case is uncollectible, the court may order the  
5 clerk to designate the cost or fee as uncollectible in the fee  
6 record. The clerk shall attach a copy of the court's order to the  
7 fee record.

8 (c) This section does not apply to a court cost or fee  
9 imposed by the supreme court, the court of criminal appeals, or a  
10 court of appeals.

11 SECTION 3. This Act takes effect September 1, 2017.