

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 30, 2017**

**TO:** Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB1441** by Wu (Relating to a defendant's discharge of fines and costs through confinement in jail or community service.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to provide that justices or judges that determine that a defendant has insufficient resources or income to pay court costs or fines must permit the defendant to elect to discharge all or part of the fine or costs by performing community service and would allow a defendant defaulting on the discharge of the judgment to be confined in jail only if the total amount of the unpaid fine and costs is greater than \$100 and the judge has made a written finding that the defendant is not indigent or is indigent but has not made a good faith effort to satisfy the fine or costs through alternative methods that did not place an undue hardship on the defendant. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, KJo, GDz