

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

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

**April 28, 2017**

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

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

**IN RE: HB2724** by Rose (Relating to community supervision in this state and the waiver or modification of certain fees, fines, and costs imposed on certain defendants; changing fees applicable to community supervision or a defendant's participation in certain programs.), **As Introduced**

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

The bill would amend the Code of Criminal Procedure and the Government Code as it relates to community service and court costs and fees. The bill would require the Community Justice Assistance Division to adopt a fee schedule for certain community supervision fees based on various factors. Courts would be required to use the fee schedule and to waive costs and consider waiving fines under certain circumstances if a defendant is indigent or was a child at the time of the offense. The bill would grant judges additional authority in deciding what activities constitute community service. The bill would grant judges additional authority in reducing the community supervision fee and would require a judge to allow a defendant to discharge all costs associated with community supervision if a defendant is unable to pay. The bill would prohibit a judge from revoking community supervision or extending its period due to a defendant's inability to pay.

Based on the analysis of the Office of Court Administration, the Comptroller, and the Department of Criminal Justice, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

**Local Government Impact**

According to OCA's collection rate analysis, OCA assumes that a significant portion of the court costs and fines are not collected due to indigence. Therefore, no significant fiscal impact on local courts is anticipated.

There may be an impact to local Community Supervision and Correction Departments due to the waiver or modification of certain fees, fines, and costs imposed on certain defendants; however, the fiscal impact is not anticipated to be significant.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304  
Comptroller of Public Accounts, 696 Department of Criminal Justice

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