

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 30, 2019

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

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **SB1637** by Zaffirini (Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses.), **As Introduced**

The bill would have a negative, but indeterminate, fiscal impact to the state due to anticipated decreases in revenue associated with an unknown number of defendants being unable to pay court costs and fees.

The bill would amend the Code of Criminal Procedure and the Transportation Code by making changes to the assessment and collection of criminal court costs for defendants who are financially unable to pay their fines, fees, and costs imposed when arrested for, charged with, or convicted of certain criminal offenses.

The bill would require a court to hold a hearing to determine whether the portion of fines, fees, and costs that pertain to the judgement of the case impose an undue hardship on the defendant and would have to consider allowing the defendant to satisfy the fines, fees, and costs through other methods including paying at a later date, performing community service, waiving the fine and costs in whole or in part, or a combination of methods.

The provisions of the bill would only apply to actions occurring on or after the effective date of the bill.

The bill would take effect September 1, 2019.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
 Comptroller of Public Accounts, 405 Department of Public Safety

LBB Staff: WP, LBO, MW, GDz, AF, LCO