

## **BILL ANALYSIS**

C.S.H.B. 3986  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

An officer responsible for collecting a fee or cost may request a trial court in which a criminal case or proceeding was held to make a finding that the fee or cost imposed in the case or proceeding is uncollectible under certain circumstances. However, this does not include fines that fall under the same circumstances. C.S.H.B. 3986 seeks to include fines in the list of court-related costs that can be declared uncollectible.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3986 amends the Code of Criminal Procedure to authorize an applicable officer to request the trial court in which a criminal action or proceeding was held to make a finding that the fine imposed in the action or proceeding is uncollectible if the officer believes the defendant is deceased, the defendant is serving a sentence for imprisonment for life or life without parole, or the fine has been unpaid for at least 15 years. The bill clarifies that an item of cost may be found uncollectible if the officer believes it has been unpaid for at least 15 years. The bill authorizes the applicable court that makes such a finding to order the officer to designate the fine as uncollectible in the fee record. The bill authorizes the clerk of a municipal court to collect money payable to the court.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3986 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an authorization not in the original for the clerk of a municipal court to collect money payable to the court.