

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 21, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB2441** by White (relating to the imposition and collection of fines, fees, and court costs in criminal cases.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to add fines to the list of items that a trial court may designate as uncollectible and to allow a trial court to make this designation regardless of when the fine, fee, or cost was imposed. Currently, the trial court can designate as uncollectible only those fees or costs imposed at the time of judgment. The bill would clarify that the term cost in Chapter 43 and 45 includes reimbursement fees. The bill would also require a court to make an inquiry as to the defendant's ability to pay on the record. Based on the analysis of the Office of Court Administration and the Comptroller of Public Accounts, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing existing resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties.

Source Agencies: 212 Office of Court Admin, 304 Comptroller of Public Accounts

LBB Staff: JMc, SLE, BH, DKN, AF