

By: Hughes

S.B. No. 1744

A BILL TO BE ENTITLED

AN ACT

1
2 relating to financial responsibilities and requirements of
3 community supervision and corrections departments and certain
4 judges.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article 42A.652(f), Code of Criminal Procedure,
7 is amended to read as follows:

8 (f) A judge shall deposit any reimbursement fee received
9 under this article in the account described by Section
10 76.009(a-1)(1)(A), Government Code [~~special fund of the county~~
11 ~~treasury~~], to be used for the same purposes for which state aid may
12 be used under Chapter 76, Government Code.

13 SECTION 2. Section 76.004(c), Government Code, is amended
14 to read as follows:

15 (c) The judges described by Section 76.002 may appoint for
16 the department a fiscal officer, other than the county
17 auditor. The fiscal officer is responsible for:

18 (1) managing and protecting funds, fees, state aid,
19 and receipts to the same extent that a county auditor manages county
20 funds and funds of other local entities;

21 (2) ensuring that financial transactions of the
22 department are lawful and allowable; [~~and~~]

23 (3) prescribing accounting procedures for the
24 department; and

1 (4) preventing the commingling of funds, fees, and
2 state aid.

3 SECTION 3. Section 76.009, Government Code, is amended by
4 adding Subsections (a-1) and (a-2) to read as follows:

5 (a-1) The department shall:

6 (1) maintain at least two separate accounts in the
7 special fund of the county treasury described by Section
8 509.011(c), of which:

9 (A) one account must be used for the deposit of
10 all local fees collected, including reimbursement fees and program
11 participant fees; and

12 (B) one account must be used for the deposit of
13 state aid received from the division;

14 (2) prescribe accounting procedures to prevent the
15 commingling of funds, fees, and state aid; and

16 (3) not later than the 90th day after the last day of a
17 state fiscal biennium, transfer any unexpended and unencumbered
18 state aid received by the department for that biennium to the
19 division.

20 (a-2) The division shall transfer money received from the
21 department under Subsection (a-1)(3) to the state treasury.

22 SECTION 4. Section 76.015(b), Government Code, is amended
23 to read as follows:

24 (b) A department that collects a reimbursement fee [~~money~~]
25 under this section shall deposit the fee in the account described by
26 Section 76.009(a-1)(1)(A), to be used for the same purposes for
27 which state aid may be used under this chapter [~~promptly transfer~~

1 ~~the money collected to the appropriate county or state officer]~~.

2 SECTION 5. Section [509.011\(g\)](#), Government Code, is
3 repealed.

4 SECTION 6. This Act takes effect September 1, 2023.