

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 23, 2023

TO: Honorable Abel Herrero, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2646 by Johnson, Jarvis (Relating to the payment of certain fines and court costs by an inmate during a term of imprisonment or following release from the Texas Department of Criminal Justice.),
As Introduced

The fiscal implications of the bill cannot be determined due to a lack of data relating to the number of incarcerated individuals and the associated rate of court cost and fine collections for these individuals. The bill would have a negative but indeterminate revenue impact because delaying the required payment of court costs and fines could potentially postpone receipts and collection of those revenues; however, the number of court costs and fines and the amount of associated revenue that would be affected is unknown.

The bill would amend the Code of Criminal procedure so that anyone sentenced to imprisonment in the Texas Department of Criminal Justice would not be required to repay certain fines and court costs until the 181st day after release following completion of the person's sentence or release on parole.

Based on the analysis provided by the Comptroller of Public Accounts and the Office of Court Administration (OCA), the fiscal impact of the bill cannot be determined due to a lack of data relating to the number of incarcerated individuals and the associated rate of court cost and fine collections for these individuals. It is assumed the bill would have a negative but indeterminate impact on state revenues because delaying the required payment of court costs and fines could potentially postpone receipts and collection of those revenues; however, the number of court costs and fines and the amount of associated revenue that would be affected is unknown.

According to the Department of Criminal Justice, any costs associated with the implementation of the bill could be absorbed using existing resources.

Local Government Impact

Based on information provided by OCA, the fiscal impact to local units of government cannot be determined because the collection rate data for incarcerated individuals is unknown. Local governments may see a delay or reduction in revenue from the collection of fines.

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

LBB Staff: JMc, DDel, MW, CSh, KFB