

BILL ANALYSIS

C.S.H.B. 2259
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that maintaining the records of certain uncollectible court fees places an administrative burden on criminal courts and that these fees should be deemed uncollectible sooner. C.S.H.B. 2259 seeks to address this issue by reducing the period after which such a fee may be deemed 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. 2259 repeals a Code of Criminal Procedure provision limiting the applicability of statutory provisions relating to uncollectible fees and costs in criminal actions and proceedings based on a belief that the defendant is deceased or serving a certain life imprisonment sentence or that the fee has been unpaid for at least 15 years to a county with a population of more than 780,000 but less than 790,000.

C.S.H.B. 2259 amends the Code of Criminal Procedure to reduce from 15 years to 10 years the period after which such an outstanding fee or item of cost may be deemed uncollectible at the request of any officer authorized to collect the fee or item of cost to the applicable trial court.

C.S.H.B. 2259 repeals Article 103.0081(c), Code of Criminal Procedure.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2259 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 a provision reducing the period after which an outstanding court fee or item of cost may be deemed uncollectible.

The substitute does not include authorizations for a court to enter an order forgiving such outstanding fees or items of cost and closing the case on a certain finding or for the applicable trial court to make a finding that a fee or item of cost is uncollectible and enter such an order.