

BILL ANALYSIS

H.B. 3482
By: Rose
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Judges have the discretion in appointing outside counsel and public defenders for indigent populations. Public defenders move cases through the criminal justice system and help counties clear cases at a faster rate and provide legal services to defendants at a cheaper cost for taxpayers than most outside counsel. It is reported, however, that counties are at a tax disadvantage in funding a public defender's office as state law allows a county's property tax rate to be adjusted to reflect increases in indigent defense compensation expenditures associated with the use of outside appointed counsel but not expenditures associated with a public defender's office. H.B. 3482 seeks to remedy this issue.

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

H.B. 3482 amends the Tax Code to include the amount paid by a county to fund the operations of a public defender's office in the calculation of the county's indigent defense compensation expenditures for a tax year for purposes of adjusting the county's no-new-revenue maintenance and operations rate to reflect increases in those expenditures.

EFFECTIVE DATE

January 1, 2022.