

**SUBJECT:** Increasing the funding cap on basic civil legal services to the indigent

**COMMITTEE:** Appropriations — committee substitute recommended

**VOTE:** 17 ayes — Zerwas, Longoria, C. Bell, G. Bonnen, Buckley, S. Davis, Hefner, Howard, Jarvis Johnson, Miller, Minjarez, Muñoz, Sheffield, Sherman, Smith, Stucky, J. Turner

0 nays

10 absent — Capriglione, Cortez, M. González, Rose, Schaefer, Toth, VanDeaver, Walle, Wilson, Wu

**WITNESSES:** For — Karen Miller, Texas Legal Services Center (*Registered, but did not testify*); Lee Parsley, Texans for Lawsuit Reform; George Christian, Texas Civil Justice League; Lisa Kaufman, Ashley McConkey, Texas Legal Services Center; Alexis Tatum, Travis County Commissioners Court; Randall Chapman)

Against — (*Registered, but did not testify*): Jim Baxa)

On — Nathan Hecht, Supreme Court of Texas (*Registered, but did not testify*); Betty Torres, Texas Access to Justice Foundation)

**BACKGROUND:** Government Code sec. 402.007 requires the attorney general to pay money received for a debt, penalty, or restitution into the state treasury. Of this revenue, the comptroller credits the net amount of certain civil penalties or payments to the judicial fund for programs that provide basic civil legal services to the indigent. The total amount credited to the fund for this purpose may not exceed \$50 million per state fiscal biennium.

Some suggest that the \$50 million per biennium cap placed on funding to provide basic civil legal services for the indigent may prevent the use of funds that have been secured for that purpose.

**DIGEST:** CSHB 2235 would increase the cap on the amount allowed to be credited

to the judicial fund for programs that provide basic civil legal services to the indigent to \$50 million per state fiscal year, rather than per biennium.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.