

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 918  
By: Patterson  
Finance  
5-5-97  
Committee Report (Substituted)

### **DIGEST**

Currently, there are more than 13,379 parole violators at large in Texas. Apart from local law enforcement efforts, which are often carried out on a restricted budget with limited manpower, the only effort by statewide law enforcement is the Department of Public Safety Fugitive Apprehension Squad which consists of four DPS officers for the entire state. This legislation creates a fugitive apprehension account in the state treasury to be used by DPS solely for the purpose of rounding up parole violators in an attempt to facilitate the quick capture of those persons. The fugitive apprehension account will be funded by raising court costs by \$5 for defendants convicted of various municipal ordinance violations, misdemeanors, and felonies; and requiring the comptroller to deposit a certain portion of those extra costs in the account.

### **PURPOSE**

As proposed, C.S.S.B. 918 establishes a method of funding the cost of apprehending certain inmates for whom warrants are issued by the Board of Pardons and Paroles or the pardons and paroles division of the Texas Department of Criminal Justice.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 56.55(a), Code of Criminal Procedure, to require a person to pay \$50, rather than \$45, as a court cost on conviction of a felony; \$40, rather than \$35, as a court cost on conviction of a violation of certain municipal ordinances or misdemeanors; or \$20, rather than \$15, as a court cost on conviction of certain municipal ordinances or misdemeanors, other than convictions relating to pedestrians and the parking of motor vehicles.

SECTION 2. Amends Article 56.57, Code of Criminal Procedure, to require the comptroller to deposit a portion of the funds received under Article 56.55 to the credit of the fugitive apprehension account in an amount equal to \$5 for each payment made under Article 56.55 by a defendant for a conviction, less a percentage of that amount equal to the percentage retained by a municipality or county under Article 56.56 as a collection fee. Makes conforming changes.

SECTION 3. Amends Chapter 411A, Government Code, by adding Section 411.0097, as follows:

Sec. 411.0097. FUGITIVE APPREHENSION ACCOUNT. Provides that the fugitive apprehension account is a special account in the general revenue fund. Authorizes the legislature to appropriate funds in the account only for the purpose of paying for the cost to the Department of Public Safety of the State of Texas of apprehending individuals for whom warrants have been issued under Section 13, Article 42.18, Code of Criminal Procedure.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. (a) Makes application of this Act prospective, regarding Article 56.55, Code of Criminal Procedure.

(b) Makes application of this Act prospective to October 1, 1997, regarding Article 56.57, Code of Criminal Procedure.

SECTION 6. Emergency clause.

**SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Article 56.55, Code of Criminal Procedure, to change the court costs required of a person on conviction of certain municipal ordinance violations, misdemeanors, and felonies.

SECTION 2.

Amends Article 56.57, Code of Criminal Procedure, to require the comptroller to deposit a certain portion of the funds received under Article 56.55 to the credit of the fugitive apprehension account.

Deletes proposed SECTION 2, regarding funding of the fugitive apprehension account by taking 30 percent of the Crime Victims Compensation Fund.

SECTION 3.

Deletes proposed text making Section 411.0097, Government Code, expire on September 1, 1999.

SECTION 4.

Changes the effective date from upon passage to September 1, 1997.

SECTION 5.

Adds applicability clauses.