

BILL ANALYSIS

Senate Research Center
76R1346 DB-D

S.B. 229
By: Ellis
Jurisprudence
2/26/1999
As Filed

DIGEST

Currently, Texas law requires a \$25 time payment fee to be collected from persons convicted in municipal and county criminal courts but who do not pay certain fines immediately. Questions from courts have arisen regarding the application of the fee. This bill clarifies the method and timeliness involved in the collection of certain fines, court costs, and restitution in criminal cases.

PURPOSE

As proposed, S.B. 229 requires the collection of certain fines, court costs, and restitution in criminal cases.

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 Section 51.921, Government Code, by amending Subsections (a), (c), and (d) and adding Subsection (f), to require the clerk of certain courts, including a statutory probate court, to collect a \$25 fee, from a person who seeks to pay any part of a fine, court cost, or restitution on or after the 31st day after which the cost has been ordered by the court, or in whose case the court has deferred final disposition until a later date. Requires 50 percent of the fees collected under this Section to be sent to the comptroller at least as frequently as quarterly, rather than monthly. Requires the Office of Court Administration to develop guidelines for the expenditure of fees under this section. Requires the county or municipality to give priority to the needs of the judicial officer who collected the fees when making the expenditures. Authorizes the judge of a specified court to order a consolidation of any fines, court costs or restitution assessed from separate cases by the court against a single defendant. Prohibits the clerk from assessing more than one fee if the judge issues an order under this subsection for the fines, court costs, or restitution. Deletes text regarding a county court at law. Deletes text regarding a fee being in a case the court has deferred over a period of time rather than immediately. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.