

## **BILL ANALYSIS**

Senate Research Center  
76R9223 DB-D

C.S.S.B. 229  
By: Ellis  
Jurisprudence  
3/23/1999  
Committee Report (Substituted)

### **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. C.S.S.B. 229 clarifies the method and timeliness involved in the collection of certain fines, court costs, and restitution in criminal cases.

### **PURPOSE**

As proposed, C.S.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, 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 the date on which a judgment is entered assessing the fine, court costs, or restitution. Requires 50 percent of the fees collected under this Section to be sent to the comptroller at least as frequently as the last day of the first month following each calendar quarter, rather than monthly. Requires the Office of Court Administration of the Texas Judicial System to develop recommendations for the expenditure of fees under this section. Requires the county or municipality to prioritize the needs of the judicial officer who collected the fees when making the expenditures. Authorizes the comptroller to audit the records of a county or municipality relating to fees collected under this section. Deletes text regarding a county court at law. Deletes text regarding the payment of certain court costs and for a fee that is 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.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 51.921, Government Code, to require a \$25 fee from a person who meets certain requirements. Authorizes the comptroller to audit the records of a county or municipality relating to fees collected under this section. Deletes provisions regarding extension of time to pay certain fines, court costs, and restitution payments. Makes nonsubstantive changes.