

## **BILL ANALYSIS**

Senate Research Center  
2001S1310/1

S.B. 1348  
By: Armbrister  
Administration  
5-4-2001  
Committee Report (Amended)

### **DIGEST AND PURPOSE**

Cities and counties feel that it is important that legislators be fully informed of the impact that a small change or addition to court costs or fees will have on the total amount charged to an offender. Fiscal notes prepared on proposed legislative actions always consider the impact of the particular fund by itself, without considering the impact to the total court costs to be collected from an offender. It is difficult to know the overall impact and result from one action when it is considered singularly. Cities and counties feel that if the total court cost for a criminal offense were made clear in the fiscal note, it is possible that some rate change or implementations might be reconsidered. S.B. 1348 provides that in addition to the impact and fiscal impact of the change or addition alone, the total impact of the change to the court costs imposed on an offender should be indicated to give a complete picture of the effect of the change or addition.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 314, Government Code, by adding Section 314.005, as follows:

Sec. 314.005. IMPOSING COURT COSTS ON CERTAIN CRIMINAL DEFENDANTS. Requires the state auditor to prepare an impact statement for each bill or resolution proposing a constitutional amendment that proposes a new court cost or fee or an increase in the amount of a court cost or fee on a person charged with a criminal offense, including a court cost or fee charged on conviction or other disposition or postponed disposition of the criminal charge. Requires the impact statement to show the total amount of court costs and fees that persons will be required to pay under the bill or resolution when considered together with all other applicable laws. Requires the state auditor to deliver a copy of the impact statement to the author of the bill or resolution and to each member of a legislative committee to which the bill or resolution is referred not later than the fifth day after the date the bill or resolution is referred to the committee.

SECTION 2. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from As Filed version in SECTION 1 by replacing "Legislative Budget Board" with "state auditor" and replacing proposed text with new text regarding the responsibility of the state auditor.