

BILL ANALYSIS

Senate Research Center
77R5865 GWK-F

C.S.S.B. 288
By: Armbrister
Criminal Justice
2/9/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, there is some inconsistency and confusion in the application of statutes regulating the fiscal operation of a community supervision and corrections department (department) established under Chapter 76, Government Code. As proposed, C.S.S.B. 288 authorizes a district judge to appoint fiscal officers, other than the county auditor, to be responsible for certain financial operations for a department and provides guidelines for the appointment and use of such fiscal officers.

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 Section 76.004, Government Code, as follows:

Sec. 76.004. New heading: DEPARTMENT DIRECTOR; FISCAL OFFICER. (c) Authorizes the district judge or judges to appoint for a community supervision and corrections department established under this chapter (department) a fiscal officer, other than the county auditor. Sets forth responsibilities of the fiscal officer.

(d) Authorizes the district judge or judges to appoint a person as fiscal officer only after investigating the person and determining that the person meets certain criteria.

(e) Requires a fiscal officer appointed under this section, before beginning employment and not later than the 20th day after the date the appointment to carry out certain actions.

(f) Requires the district judge or judges to set the annual compensation of a fiscal officer appointed under this section. Requires the department to pay all costs related to the functions of the fiscal officer.

(g) Provides that Subsections (c)-(f) do not diminish the rights of certain specific officers or entities to examine and audit certain documents and information of a department.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from the original by specifying the responsibilities of the fiscal officer. Adds to a district judge's or judges' authority to appoint a fiscal officer the condition that a person being

considered for appointment, upon investigation, meet certain criteria. Adds certain requirements for a newly appointed fiscal officer. Adds the requirement that a district judge or judges set the compensation of a fiscal officer appointed under this section. Amends language pertaining to funding by a community supervision and corrections department established under this chapter (department) for the functions of financial officers. Adds provisions pertaining to the rights of certain officers or entities to examine and audit certain documents and information of a department.

SECTION 2. No change.