

## **BILL ANALYSIS**

Senate Research Center  
77R7326 DAK-D

S.J.R. 49  
By: Armbrister  
Finance  
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### **DIGEST AND PURPOSE**

Currently, legislation implementing new court costs and fees or changes to court costs and fees is almost always effective on September 1, the beginning of the state fiscal year. These changes are not usually finally determined until late in the legislative session, and generally signed into law during June of the session year. Time is needed after the bills are signed into law to determine all the resulting changes, summarize them, and disseminate information to the affected entities and groups. Typically, the comptroller sends out information on the session changes in July or August, and this gives cities, counties, and the comptroller little time to implement required changes. Also, the implementation date of September 1 causes problems in the changes and conversions since most of the funds are reported on a calendar quarter basis and September 1 falls inside a calendar quarter.

Most cities and counties would like to see the effective date moved back to January 1, which would give them more time to make the required changes in systems and forms and would fall at the beginning of a quarter and a calendar year. Moving the implementation date from September 1 to January 1 would give cities, counties, and the comptroller four additional months to implement changes, revise forms, change computer software programs, and train personnel on the changes. It would also fall at the beginning of a calendar quarter, eliminating the reporting problems when an implementation date falls in the middle of a calendar quarter.

### **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 Article III, Texas Constitution, by adding Section 46, as follows:

Sec. 46. (a) Defines "fee."

(b) Provides that this section applies only if the legislature enacts by law a program to consolidate and standardize the collection, deposit, reporting, and remitting of fees.

(c) Provides that a fee imposed by the legislature after the enactment of the program described by Subsection (b) of this section is valid only if the requirements relating to its collection, deposit, reporting, and remitting conform to the program.

SECTION 2. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held November 6, 2001. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment to promote uniformity in the collection, deposit, reporting, and remitting of civil and criminal fees."