

## **BILL ANALYSIS**

Senate Research Center  
78R4282 EMT-F

S.B. 782  
By: Armbrister  
Criminal Justice  
4/14/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently, counties and cities are allowed to contract with outside vendors for the collection of fines, fees, restitution and other costs ordered by a court and to add a 30 percent collection fee to each debt or receivable more than 60 days past due. As proposed, S.B. 782 authorizes a county or municipality to contract for collection services in criminal cases and certain cases involving the parking or stopping of motor vehicles.

### **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 103.0031, Code of Criminal Procedure, as follows

- (a) Authorizes the commissioners court of a county or the governing body of a municipality to enter into a contract with a private attorney or a public or private vendor for the provision of collection services for one or more of certain items.
- (b) Provides the amount to which the 30 percent collection fee applies, with respect to debts and accounts receivable such as unpaid fines, fees, court costs, and restitution ordered paid by certain entities. Makes a conforming change.
- (c) No change to this subsection.
- (d) Requires the allocation to the comptroller, the county or municipality, and the private attorney or vendor, of an amount collected from a person by a private attorney or private vendor that is less than the aggregate total to be collected under Subsections (a) and (b), to be reduced proportionately.
- (e) Provides that an item subject to collection services under Subsection (a) and to the additional collection fees authorized by Subsection (b) is considered more than 60 days past due under Subsection (b) if it remains unpaid on the 61st day after a certain date.
- (f) Prohibits the additional 30 percent collection fee authorized by Subsection (b) from being used for any purpose other than compensating the private attorney or private vendor who earns the fee.
- (g) Provides that a forfeited bond is not an item subject to collection services under this article.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.