

BILL ANALYSIS

Senate Research Center

H.B. 2634
By: Place (Whitmire)
Criminal Justice
5-10-97
Engrossed

DIGEST

Currently, the Code of Criminal Procedure states that community supervision and corrections departments (department) may collect administrative fees from an individual served by the department regardless of whether the individual is under the department's supervision. In addition, a department may assess a reasonable administrative fee on an individual who participates in a department program or receives department services and who is not paying a monthly fee. However, only departments of counties with a population of 2.8 million or more are allowed to collect these fees. H.B. 2634 would allow departments, regardless of county population, to collect administrative fees.

PURPOSE

As proposed, H.B. 2634 establishes provisions regarding administrative fees collected by community supervision and corrections departments.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Amends Chapter 76, Government Code, by adding Section 76.015, as follows:

Sec. 76.015. ADMINISTRATIVE FEE. Authorizes a community supervision and corrections department established under this chapter (department) to collect money from an individual as ordered by a court served by the department regardless of whether the individual is under the department's supervision. Requires a department that collects money to promptly transfer the money collected to the appropriate county or state officer. Authorizes a department to assess a reasonable administrative fee of not less than \$25 and not more than \$40 per month on an individual who participates in a department program or receives department services and who is not paying a monthly fee under Section 19, Article 42.12, Code of Criminal Procedure.

(b) Provides that this section conforms Chapter 76, Government Code, to Section 1, Chapter 217, Acts of the 74th Legislature, Regular Session, 1995.

(c) Repealer: Section 1, Chapter 217, Acts of the 74th Legislature, Regular Session, 1995 (Administrative Fees).

(d) Provides that to the extent of any conflict, this Act prevails over another Act of the 75th Legislature, Regular Session, 1997, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.