

BILL ANALYSIS

Senate Research Center
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S.B. 424
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Jurisprudence
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DIGEST AND PURPOSE

Currently, Article 102.007 of the Code of Criminal Procedure allows a county attorney, district attorney, or criminal district attorney to collect fees on hot check offenses. However, counties are forced to rely on collection agencies to collect delinquent court-ordered fees or court costs related to other criminal offenses. As proposed, S.B. 424 amends Article 102.007 of the Code of Criminal Procedure to allow prosecutors' offices to collect delinquent fines or court costs prosecutable by the county or state.

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 the heading of Article 102.007, Code of Criminal Procedure, to read as follows:

Art. 102.007. FEE FOR COLLECTING AND PROCESSING SIGHT ORDER OR COLLECTING DELINQUENT FINE OR COURT COST.

SECTION 2. Amends Article 102.007, Code of Criminal Procedure, by amending Subsections (a) - (c) and adding Subsection (g), as follows:

- (a) Authorizes a county attorney, district attorney, or criminal district attorney to collect a fee under certain circumstances.
- (b) Authorizes a county attorney, district attorney, or criminal district attorney to collect the fee from any person who is a party to the offense described in Subsection (a) (1) or who is the defendant in a case described by Subsection (a) (2).
- (c) Prohibits the amount of the fee from exceeding the amount set by certain guidelines.
- (g) Defines "delinquent fine or court cost."

SECTION 3. Effective date: September 1, 2003.
Makes application of this Act prospective.