

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 458  
By: Armbrister  
Criminal Justice  
3/12/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Cities and counties feel that it is important that legislators be fully informed of the impact that a small change or addition to court costs or fees will have on the total amount charged to an offender. Fiscal notes prepared on proposed legislative actions always consider the impact of the particular fund by itself, without considering the impact to the total court costs to be collected from an offender. It is difficult to know the overall impact and result from one action when it is considered singularly. Cities and counties feel that if the total court cost for a criminal offense were made clear in the fiscal note, it is possible that some rate change or implementations might be reconsidered. C.S.S.B. 458 provides that in addition to the impact and fiscal impact of the change or addition alone, the total impact of the change to the court costs imposed on an offender should be indicated to give a complete picture of the effect of the change or addition.

### **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 Chapter 319, Government Code, to read as follows:

Chapter 319. LEGISLATION REGARDING JUDICIAL SYSTEM

SECTION 2. Amends Sections 319.001 through 319.004, Government Code, by designating those sections as Chapter 319A and adding a heading to read as follows:

SUBCHAPTER A. JUDICIAL SYSTEM IMPACT NOTES

SECTION 3. Amends Chapter 319, Government Code, by adding Subchapter B, as follows:

SUBCHAPTER B. LEGISLATION RELATING TO COURT COSTS

Sec. 319.021. IMPACT STATEMENT ON LEGISLATION IMPOSING COURT COSTS ON CRIMINAL DEFENDANTS. (a) Requires the Legislative Budget Board (LBB) to prepare an impact statement for each resolution proposing a constitutional amendment or bill that proposes imposing a new court cost or fee on a person charged with criminal offense or increasing the amount of an existing court cost or fee imposed on a person charged with a criminal offense, including a court cost or fee imposed on conviction or other disposition or postponed disposition of the criminal charge.

(b) Requires the impact statement to show the total amount of court costs and fees that persons will be required to pay under the bill or resolution when considered together with all other applicable laws.

(c) Requires the state auditor to provide the LBB with the data needed to develop and produce the impact statements.

SECTION 4. Effective date: September 1, 2003.

**SUMMARY OF COMMITTEE CHANGES**

SECTION 2. Makes a nonsubstantive change by replacing the dash in "319.001-319.004" with the word "through."

SECTION 3. Differs from original bill in proposed Section 319.021(a) by replacing "state auditor" with "Legislative Budget Board."

Differs from original bill in proposed Section 319.021(c) by requiring the state auditor to provide the Legislative Budget Board with the data needed to develop and produce and impact statements.