

BILL ANALYSIS

Senate Research Center
83R24600 EAH-F

H.B. 2021
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have raised concerns regarding the lack of available tools to recover those unpaid court costs on civil cases compared to the available tools to recover the respective costs for criminal cases. Interest has been shown regarding outsourcing for the collection of these amounts in a manner similar to the outsourcing of the collection of criminal court costs in which a collection fee may be added to the amounts to be collected. The parties contend, however, that outsourcing currently is an unattractive option in civil cases as the court will forfeit a significant portion of the recovered amount to pay the contractor fees, since such fees must come out of the court costs to be collected. H.B. 2021 provides a means for a municipality or county to collect unpaid court costs in civil cases.

H.B. 2021 amends current law relating to the authority of a municipality or county to contract for the collection of certain amounts, and authorizes a fee.

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 Chapter 140, Local Government Code, by adding Section 140.009, as follows:

Sec. 140.009. CONTRACT FOR COLLECTION OF AMOUNTS IN CIVIL CASES.

(a) Authorizes the governing body of a municipality or the commissioners court of a county to contract with a private attorney or public or private vendor for the collection of an amount owed to the municipality or county relating to a civil case, including an unpaid fine, fee, or court cost, if the amount is more than 60 days overdue.

(b) Authorizes a municipality or county contracting with an attorney or a vendor under Subsection (a) to authorize the addition of a collection fee of 30 percent of the amount referred. Authorizes the collection fee to be used only to compensate the attorney or vendor who collects the debt.

(c) Provides that this section does not apply to the collection of commercial bail bonds.

SECTION 2. Effective date: upon passage or September 1, 2013.