

## **BILL ANALYSIS**

H.B. 1795  
By: Turner, Sylvester  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that several years ago, the legislature provided for special treatment under the Driver Responsibility Program for a person determined by a court to be indigent. The parties further note that a judge makes another separate determination of indigence based on the person's resources for the purposes of appointment of counsel for the offense that is the basis of a surcharge imposed under the Driver Responsibility Program. H.B. 1795 seeks to decrease redundancy in the judicial system.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1795 amends the Transportation Code to expand the conditions under which a person is considered to be indigent for purposes of waiving all surcharges assessed under the Driver Responsibility Program to include the determination of indigence for the purpose of appointing counsel for the offense that is the basis for the surcharge and the absence of a court's subsequent finding that the person had the ability to pay, wholly or partly, the cost of the appointed counsel. The bill's provisions apply to a surcharge pending on the bill's effective date, regardless of when the surcharge was assessed.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.