

- SUBJECT:** Providing grants for sheriffs in small counties and imposing a court fee
- COMMITTEE:** Border and International Affairs — committee substitute recommended
- VOTE:** 7 ayes — Chavez, Griggs, Alonzo, Castro, Merritt, J. Moreno, Vo
0 nays
- WITNESSES:** For — Joe Hunt, Joe Luis Ybarra, Tom Green County Sheriff's Office;
Against — None
- DIGEST:** CSHB 3280 would allow the Department of Public Safety (DPS) to make a grant to a sheriff in a county with a population of less than 150,000. In awarding grants, DPS would have to consider the extent to which the sheriff would use the money to enhance homeland security and fight drug trafficking. The commissioners court of a county in which a sheriff received a grant could not reduce the county funds provided for the sheriff as a result of the grant. DPS could adopt rules on the application and eligibility requirements for grants.
- Money for the grants would come from a \$10 fee imposed on those convicted of moving traffic violations in a justice court, county court, county court at law, or municipal court. The bill would consider a person convicted if a sentence was imposed on the person, the person received community supervision, including deferred adjudication, or the court deferred final disposition of the person's case. The court clerk would collect the fee, and the city or county treasurer would send funds collected each quarter, or a report stating that no funds were collected, to the comptroller. A city or county could retain 10 percent of the funds as a collection fee. Money collected from these fees would be exempt from the statutory provision that money not used by September 1, 2005, becomes available for general purposes on that date. Funds collected would be subject to audit by the comptroller.
- The bill would take effect September 1, 2005, and a court fee imposed by the bill would apply only to an offense committed on or after that date.

NOTES:

The fiscal note indicates that the bill would have a positive fiscal impact for county law enforcement assistance of about \$16.8 million in fiscal 2006, rising to about \$31 million in fiscal 2010. Cities and counties that retained 10 percent of the fee also would experience a positive combined fiscal impact of about \$1.9 million the first year and about \$3.3 million thereafter. The fiscal note estimates that the bill could cost the state about \$1.7 million from the state highway fund for DPS to implement the grant program.

The committee substitute differs from the bill as filed by:

- removing a provision that would have required grants to be made to counties within 250 miles of the Texas-Mexico border;
- specifying that a county may not reduce the county funds provided for the sheriff as a result of the grant;
- adding a funding mechanism for the grants; and
- changing the effective date.