

BILL ANALYSIS

Senate Research Center
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S.B. 579
By: Armbrister
Criminal Justice
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As Filed

DIGEST

Currently, Texas law does not provide the district clerk the authority to require the state or any county to make payments for costs of the court. Many district clerks, through certain cooperation, receive payments for court costs on forfeiture cases through the proceeds of the respondent that are forfeited by the state or county. S.B. 579 would establish procedures for collection of court costs in a forfeiture proceeding.

PURPOSE

As proposed, S.B. 579 establishes procedures for collection of court costs in a forfeiture proceeding.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 59.05, Code of Criminal Procedure, by adding Subsection (f), to entitle the clerk of the court, upon forfeiture of the state in which the forfeiture proceeding was held, to the court costs in that civil proceeding as in other civil proceedings. Provides that the procedure for collecting the court costs is the procedure in Articles 59.06(a) and (c).

SECTION 2. Amends Articles 59.06(a) and (c), Code of Criminal Procedure, to set forth procedures for distribution of the proceeds of the sale of forfeited property with respect to the deduction of court costs to which a district court clerk is entitled. Makes conforming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.