

## **BILL ANALYSIS**

Senate Research Center  
77R10314 SMJ-D

C.S.S.B. 1308  
By: Barrientos  
Intergovernmental Relations  
4/11/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, counties are prohibited from charging a fee unless specifically authorized to do so by statute or the constitution. C.S.S.B. 1308 authorizes counties to charge a reasonable fee to recover the costs of providing certain services or administering certain programs that benefit users.

### **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 Article 42.033(b), Code of Criminal Procedure, to add language to specify the amount of reimbursement of the general fund of the county to be in an amount determined by the commissioners court.

SECTION 2. Amends Chapter 251A, Transportation Code, by adding Section 251.017, as follows:

Sec. 251.017. COUNTY AUTHORITY TO SET FEE. Authorizes the commissioners court of a county to set a reasonable fee for the county's issuance of a license, permit, or registration authorized by this chapter for which a fee is not specifically prescribed.

SECTION 3. Amends Chapter 16I, Water Code, by adding Section 16.324, as follows:

Sec. 16.324. COUNTY AUTHORITY TO SET FEES. Authorizes the commissioners court of a county to set reasonable and necessary fees to administer this subchapter.

SECTION 4. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from original as follows:

SECTION 1. Amends Article 42.033(b), Code of Criminal Procedure, whereas the original SECTION 1 amended Chapter 118A, Local Government Code.

SECTION 2. Amends Chapter 251A, Transportation Code, whereas the original SECTION 2 was the effective date.

SECTION 3. Adds a new SECTION 3 that amends Chapter 16I, Water Code.

SECTION 4. Redesignated from original SECTION 2, the effective date.