

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1377
By: Armbrister
Finance
4/22/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, there is no state oversight of court costs that are collected by cities and counties. C.S.S.B. 1377 requires the state auditor to conduct a biennial review and to exercise continuing oversight for each fund to which court costs are being deposited to determine if the funds are being used as intended and whether the court costs are appropriate.

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 403B, Government Code, by adding Section 403.0145, as follows:

Sec. 403.0145. REVIEW AND OVERSIGHT OF FUNDS AND ACCOUNTS RECEIVING COURT COSTS. (a) Requires that each fiscal biennium the state auditor review each fund and account into which money collected as a court cost is directed by law to be deposited to determine whether the money is being used for the purpose for which it is collected and whether the amount of the court cost imposed is appropriate, considering the purpose for which the court cost is collected.

(b) Requires the state auditor, not later than December 1 of each even-numbered year, to make the findings from the review for the previous fiscal biennium available to the public and to send a report of the state auditor's findings to the governor, the lieutenant governor, the speaker of the house of representatives, the chief justice of the supreme court, and the presiding judge of the court of criminal appeals. Authorizes the findings to include recommendations for legislation or changes to policies.

SECTION 2. (a) Effective date: September 1, 2001.

(b) Provides that the first report required under Section 403.0145, Government Code, as added by this Act, is due December 1, 2002.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 1377 by removing proposed language referencing the comptroller and replacing it with the state auditor.