

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB 951
Version:	ENGR
Request Number:	
Author:	Rep. O'Donnell
Date:	4/19/2021
Impact:	AOC: Potential increase in state revenues, unknown costs for notification software

Research Analysis

SB 951 provides that an officer who arrests a person for failure to appear in court may issue a citation for the person to appear for a hearing. The measure also directs the court to inform defendants of their responsibility to keep the court clerk informed of the defendant's contact information until outstanding fines, costs, fees, or assessments have been paid. A defendant must also be informed of their right to appear before the court to inform the court of the defendant's inability to pay outstanding fines. Upon successful demonstration that the defendant cannot pay outstanding fines and fees, the court may modify its order by the imposition or modification of a payment plan, a reduction in the amount owed, or a waiver of payment of the amount owed. The court is required to consider certain factors outlined in the measure when determining whether the defendant willfully refused or neglected to pay or was unable to pay fines, costs, fees, restitution, or assessments. Persons found to have willfully refused to pay the fines is subject to incarceration in the county jail for up to 30 days. The defendant is to be credited with an amount specified by the court of not less than \$50 per day for time served for nonpayment. The court may release the defendant upon satisfactory arrangements to bring the defendant into compliance. Monies paid into the court are to be used to first satisfy the administrative collection fee, secondly the fines, and lastly, any costs, fees and assessments.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure modifies the process for the collection of outstanding court costs and fines.

Per consultation with the Administrative Office of the Courts, the measure may result in increased revenues to the state by increasing collections for outstanding court costs and fines. In order to comply with the provisions of the measure, court clerks would be required to send notices by mail, email, and text message. The AOC would have to purchase and maintain the software programs for text and email notices. The measure thus entails some unknown administrative costs.

Prepared By: Clayton Mayfield

Other Considerations

None.

