

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB2259
Version:	CS
Request Number:	7944
Author:	Rep. Sterling
Date:	3/14/2023
Impact:	No negative impact

Research Analysis

The committee substitute for HB2259 extends the implementation date of the court cost compliance program from July 1, 2023 to November 1, 2023 and modifies the program processes by:

- requiring court cost compliance liaisons to notify individuals of their right to a cost hearing;
- providing that a single down payment is sufficient to recall all cost-related warrants pending in a single jurisdiction;
- directing law enforcement officers to issue warnings, instead of citations, to any person who was arrested and was found to have outstanding warrants or failed to appear for a cost hearing;
- allowing the court to make determinations on the ability of a defendant to pay the court financial obligations and allows the court to grant a hardship waiver for all or part of the owed amount;
- updating the list of factors that the court can and cannot consider to determine whether a defendant is able to pay their court obligations;
- establishing a presumption that a defendant is unable to pay if they are disabled, eligible federal needs-based financial support like food stamps, receive subsidized housing, has been homeless in the past 12 months or has a total income below 150 percent of the federal poverty level;
- outlining the process and timelines for issuing summons, cost hearings, referrals to the compliance program and willfulness hearings; and
- increasing the credit amount for time served to \$100 per day of incarceration or \$200 per day if the individual performs useful labor.

Prepared By: Quyen Do

Fiscal Analysis

This measure extends the implementation date of the court cost compliance program. Officials with the Administrative Office of the Courts (AOC) understand HB2259 to be a complete overhaul to current processes related to the collection of financial obligations in criminal cases. The bill does not increase or decrease any fees, but should reduce arrest warrants issued for failure to pay thus reducing number of incarcerations for owing money. The AOC does not anticipate any negative impact as a result of this measure.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.

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