

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB1480
Version:	POLPCS1
Request Number:	12318
Author:	Rep. West (Tammy)
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Impact:	\$0

Research Analysis

The policy proposed committee substitute for HB 1480 provides that when there are financial obligations imposed on a child, a guardian or a responsible adult, the court may immediately or at any time until the debt is paid or waived, determine the ability of the child or a responsible adult to pay court financial obligations. The court may make these determinations at a cost hearing or upon written motion or affidavit. The ability to pay court financial obligations may not impact the disposition. If the relevant parties are found unable to pay, in whole or in part, they will be relieved of the debt by the court through a hardship waiver. In determining the ability to pay, the court will consider the criteria and circumstances listed in the measure.

The court clerk must periodically review cases to determine cases where payments towards court financial obligations have not been made within the last 90 days. Fourteen days prior to the cost hearing, the court clerk must issue a summons that follows the one included in the measure. No warrant will be issued based upon the non-appearance at a cost hearing. However, the court may notify the district attorney and the district attorney may pursue indirect contempt. The measure also provides that once a court order for the county to pay for a child's medical expenses is approved, the court must not adjudge that the person having the duty under the law to support the child pay part or all expenses for their care. Additionally, no currently or previously detained youth or their parents or guardian will be responsible for detention costs.

Prepared By: Suzie Nahach

Fiscal Analysis

The proposed committee substitute to HB 1480 directs the courts to determine responsibility for payment of court financial obligations and provides the requirements of the court when determining the ability of a child or legal guardian to pay. In its current form, HB1480 is not anticipated to impact the state budget.

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Other Considerations

None.