

BILL ANALYSIS

S.B. 327
By: Burton
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that judges should have discretion to return fees required to be paid in relation to an order of nondisclosure of criminal history record information, especially for low-level, nonviolent offenders whose income is slightly above the indigence threshold and whose punishment in the form of a permanent record is disproportionate to the crime committed. S.B. 327 seeks to provide this discretion.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 327 amends the Government Code to authorize a court that issues an order of nondisclosure of criminal history record information to order that any fee, or portion of a fee, required to be paid in relation to the order be returned to the person who is the subject of that order.

EFFECTIVE DATE

September 1, 2017.