

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 24, 2003

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB380 by Dutton (Relating to the imposition of the death penalty in certain cases where the guilt of the defendant may be in doubt.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure by establishing a death penalty bar in which an attorney representing the state may not seek the death penalty. The bill would also specify conditions in which the court shall sentence defendants in capital felony cases to confinement in the institutional division of the Texas Department of Criminal Justice for life.

Under current law and policy, the average time served in prison by persons likely to be affected by the provisions of this bill is greater than five years. Therefore, no significant impact on demands on the adult corrections agencies is anticipated during the first five years following passage.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JK, JO, WK, GG