

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 4, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB615 by Keel (Relating to the appointment of counsel for an indigent applicant for a writ of habeas corpus in a capital case.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure regarding the entity responsible for setting standards for counsel appointed to represent a person in an application for a writ of habeas corpus in which the person is seeking relief from a judgment imposing the death penalty. The bill transfers this responsibility from the Court of Criminal Appeals to the local selection committee created under Article 26.052(c), Code of Criminal Procedure, in each of the nine administrative judicial regions of the state. Currently, these local selection committees are responsible for setting standards for the qualification of attorneys to be appointed to represent indigent defendants in capital cases in which the death penalty is sought.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house; otherwise the bill would take effect on September 1, 2003.

Local Government Impact

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

Source Agencies: 212 Office Of Court Administration, Texas Judicial Council

LBB Staff: JK, WK, VDS, TB, KG