

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 29, 2003

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB987 by Armbrister (Relating to the expunction of certain arrest records and files.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Article 55, by allowing for the expunction of misdemeanor criminal history records for certain persons who were under the age of 21 at the time of the offense. The bill would apply to an arrest occurring before, on, or after the effective date of the bill. The bill would not apply to persons arrested for misdemeanor against a member of the person's family or household. This estimate assumes the number of persons eligible under all provisions of the bill for an expunction of records may result in possible costs to the Department of Public Safety, which currently handles 5,000 expunction requests per year with a total of 7 staff dedicated to that purpose. However, to the extent that the Department of Public Safety may handle additional expunctions each year, the possible costs are not anticipated to be significant.

The bill would take effect immediately if it receives a vote of two-thirds the members in each house. Otherwise, the bill would take effect September 1, 2003

Local Government Impact

No significant fiscal implication to units of local government is anticipated. To the extent that local courts may handle additional petitions for expunctions each year, the possible costs are not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety

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