

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 24, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1045** by Ellis, Rodney (Relating to the creation of a commission to investigate and prevent wrongful convictions.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1045, As Introduced: a negative impact of (\$72,504) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2004	(\$35,541)
2005	(\$36,963)
2006	(\$38,442)
2007	(\$39,978)
2008	(\$41,578)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from GENERAL REVENUE FUND 1</b>
2004	(\$35,541)
2005	(\$36,963)
2006	(\$38,442)
2007	(\$39,978)
2008	(\$41,578)

**Fiscal Analysis**

The bill would establish a Texas Innocence Commission to investigate and prevent wrongful convictions in Texas. The commission would be able to enter into contracts for research services necessary to complete the investigation of a particular case, including forensic testing and autopsies, and is required to compile a detailed annual report of its findings and recommendations. The report must be made available to the public on request. The nine members of the commission would not receive compensation, but would be entitled to reimbursement of travel expenses incurred while conducting official commission business. The Texas Legislative Council, the Legislative Budget Board, the Criminal Justice Policy Council, and the University of Texas at Austin would be required to assist the commission in performing the commission's duties. The commission would be a permanent governmental entity rather than a temporary investigative body. The bill would take effect September 1, 2003 and the appointments to the Texas Innocence Commission would be made not later

than the 60<sup>th</sup> day after September 1, 2003.

### **Methodology**

Each of the agencies affected by the bill indicated that the administrative provisions of the bill would not result in a significant fiscal impact to the agency individually. For the purposes of this analysis it is assumed that the combined additional costs associated with the bill that would include research services such as forensic testing and autopsies, travel expenses of commission members, and administrative duties, would equal \$35,541 for fiscal year 2004 and would increase to \$41,578 in fiscal year 2008.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 103 Legislative Council, 201 Supreme Court of Texas, 301 Office of the Governor, 302 Office of the Attorney General, 410 Criminal Justice Policy Council, 696 Department of Criminal Justice, 720 The University of Texas System Administration

**LBB Staff:** JK, WK, VDS, GG, KG