

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 17, 2003**

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

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

**IN RE: SB1129** by Bivins (Relating to the admissibility in a criminal proceeding of certain laboratory analyses of physical evidence or statements as to the chain of custody of physical evidence.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure, Chapter 38, relating to the admissibility in criminal proceedings of certain laboratory analyses of physical evidence or statements as to the chain of custody of physical evidence. The bill would take effect September 1, 2003.

**Local Government Impact**

Collin, Fort Bend, Lubbock, and Wise counties and the cities of Houston and Sherman reported that no significant fiscal implication to their law enforcement departments is anticipated.

The Houston Police Department reported that an additional data entry operator would be required to create and notarize the required affidavits, estimated at 36,000 per year. Salary and benefits for the employee would be \$26,431 per year. The Wise County Sheriff's Department reported that implementing the bill would result in some additional personnel costs to serve subpoenas, but these costs could easily be absorbed into department's budget.

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

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