

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

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

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1306 by Bivins (Relating to the submission of certain pleas and waivers by closed circuit video teleconferencing.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the use of video teleconferencing for allowing a defendant confined in a county other than the county in which charges against the defendant are pending. The defendant would be allowed to use the video teleconferencing method for entering a plea or waiving a right in the court with jurisdiction over the case. In doing so, the defendant consents to venue in the county in which the court receiving the plea or waiver is located and waives any claim of error related to venue.

Additionally, if a defendant enters a plea of guilty or nolo contendere by video teleconferencing, the attorney representing the state may request at the time the plea is entered that the defendant submit a fingerprint suitable for attachment to the judgment. The county in which the defendant is confined would be required to send a copy of the fingerprint using first-class mail or other means acceptable to the prosecuting attorney.

The bill would take effect September 1, 2003 and would apply to any proceeding pending before the court on or after that date.

It is not anticipated that there would be much increase in the cost of postage for mailing fingerprints from one county to another.

Local Government Impact

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

Source Agencies:

LBB Staff: JK, JO, WK, DLBa