

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 16, 2005**

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

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB269** by Keel (Relating to the effect of an expunction.), **As Engrossed**

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

The bill would amend Article 55.03 of the Code of Criminal Procedure to prohibit the release, dissemination, or use of the expunged records and files for any purpose upon a final order of expunction. Current law allows the Department of Public Safety to disseminate criminal history records subject to an expunction order to criminal justice agencies, authorized noncriminal justice agencies, and to the person who is the subject of the order. The bill would affect all expunction orders regardless of whether the order is entered before, on, or after the effective date of this act.

The bill would take immediate effect if the bill receives the vote of two-thirds of the members of each house. Otherwise, the bill would take effect September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, KJG, VDS, SJ, LB