

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 20, 2005

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

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

IN RE: HB646 by Otto (Relating to the provision of certain reports and records requested by the attorney general.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Article 2.23 of the Code of Criminal Procedure to provide a 10-day deadline for a state court's provision of records relating to criminal matters to the Office of the Attorney General (OAG) upon written request by the OAG. Courts and prosecutors are already required to reply to the OAG when requested. The bill offers clarifying language, refining the definition of "at such times" to mean "not later than the 10th day after the date the request is received."

The bill also would require a state agency or office of an attorney representing the state to provide records upon written request of the OAG, also within 10 days of the request. The bill would prohibit these entities from restricting or delaying the reproduction or delivery of the requested records.

The bill would take effect on September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Local governmental court entities would incur some costs for training and to respond to the OAG, but these costs are not expected to be significant.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, KJG, LB, ZS