

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

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

**May 24, 2005**

**TO:** Honorable Tom Craddick, Speaker of the House, House of Representatives

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

**IN RE: HB840** by Riddle (Relating to the forfeiture of contraband used to facilitate or intended to be used to facilitate the commission of certain criminal offenses.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure by adding to the definition of contraband for the purposes of forfeiture, property of any nature used to facilitate or intended to be used to facilitate the commission of a felony offense of criminal solicitation of a child or of sexual performance by a child. The bill would take effect September 1, 2005.

Under certain circumstances, contraband subject to forfeiture can be sold by the attorney representing the state (county or municipal prosecutor) and the proceeds, or a part of the proceeds, may cover some associated court costs and other costs related to enforcement and prosecution of the applicable criminal offenses.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, SD, KJG, DLBa