

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 13, 2005

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

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.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

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, KJG, DLBa