

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 10, 2005

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

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

IN RE: HB947 by Miller (Relating to including certain bailiffs in the definition of peace officer.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would add bailiffs to the definition of who is a peace officer. The bill would take effect September 1, 2005.

Under current statute, only a bailiff appointed by a judge in the counties of Nueces, Potter, Randall, El Paso, and Tom Green, and in the 12th, 106th, 258th, 278th, and 411th District Courts may be designated, at the appointing judge's discretion, as a peace officer. The bill would remove that discretion and would specify that bailiffs in each of those courts is a peace officer. The bill would also designate as peace officers bailiffs serving a grand jury, a petit jury, a district court, county courts, and certain juvenile courts.

If a bailiff is not already certified as a peace officer, that person would be required to meet certification requirements through the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE). TCLEOSE anticipates that any additional record-keeping associated with the addition of newly certified officers would be absorbed using existing resources. If a court were to incur the costs associated with its bailiffs becoming certified as peace officers, it is anticipated that those costs would be insignificant in proportion to a court's overall budget.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 407 Commission on Law Enforcement Officer Standards and Education

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