

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 16, 2005

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB1108 by Anchia (Relating to the forfeiture of certain contraband used in the commission of offenses involving prostitution.), **As Introduced**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would amend definitions for "attorney representing the state" and for "contraband" within the Code of Criminal Procedure as those terms relate to the forfeiture of contraband used or intended to be used in the commission of a misdemeanor prostitution offense (soliciting another in a public place to engage with that person in sexual conduct for hire). The proposed change in definition of attorney representing the state would apply the definition in certain circumstances to a city attorney or to a prosecutor with felony jurisdiction in the county. Under the proposed change in statute, the definition of contraband with regard to forfeiture would apply only to a motor vehicle used in the commission of the offense.

Under certain circumstances, contraband subject to forfeiture can be sold and the proceeds, or a part of the proceeds, may cover some associated court and other costs related to enforcement and prosecution of the applicable criminal offense.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, KJG, DLBa