

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 18, 2005

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

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

IN RE: HB3023 by Flynn (Relating to the distribution of proceeds from the sale of certain forfeited property in a criminal case.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would establish the requirements for how proceeds from the sale of certain forfeited property in a criminal case must be distributed if a local agreement exists between an attorney representing the state and a multijurisdictional drug task force. The attorney would be required to deduct from the proceeds appropriate court costs and reasonable current and projected costs related to confinement or legal representation of the defendant whose property was forfeited and to forward those amounts to the applicable political subdivisions prior to transferring any of the proceeds to the task force.

The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Local Government Impact

The fiscal impact would vary by local government that has a multijurisdictional drug task force, depending on the value of the forfeited property, the actual expenses related to the court case and to the confinement of a defendant, and whether the proceeds from the sale of the property were sufficient to offset the expenses.

Source Agencies:

LBB Staff: JOB, KJG, DLBa