

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 19, 2005

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

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

IN RE: HB3093 by Pena (Relating to ex parte petitions for the expunction of criminal records and files.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to ex parte petitions for the expunction of criminal records and files.

The bill would amend the Code of Criminal Procedure to allow the director of the Department of Public Safety or the director's authorized representative to file an ex parte petition in a district court on behalf of a person entitled to expunction of criminal records and files. The petition filed by the director of the Department of Public Safety or the director's authorized representative must include the person's full name, sex, race, date of birth, driver's license number, social security number, address at the time of the arrest, the offense charge against the person, the date the offense charged against the person was alleged to have been committed, the date the person was arrested, the name of the county or municipality where the person was arrested, the name of the arresting agency, the case number and court of offense, and a list of all parties the person for whom the petition has been filed has reason to believe have records or files that are subject to expunction.

The bill would take effect on September 1, 2005.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KJG, VDS, SJ, LM