

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 26, 2005**

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

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

**IN RE: SB395** by Seliger (Relating to the submission of certain pleas and waivers by closed circuit video teleconferencing.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure by allowing a defendant confined in a county other than the county in which charges against the defendant are pending to use video teleconferencing for entering a plea or waiving a right in the court with jurisdiction over the case. In doing so, the defendant consents to venue in the county in which the court receiving the plea or waiver is located and waives any claim of error related to venue. Additionally, if a defendant enters a plea of guilty or nolo contendere by video teleconferencing, the attorney representing the state may request at the time the plea is entered that the defendant submit a fingerprint suitable for attachment to the judgment. The county in which the defendant is confined would be required to send a copy of the fingerprint using first-class mail or other means acceptable to the prosecuting attorney.

The bill would take effect September 1, 2005 and would apply to any proceeding pending before the court on or after that date.

It is not anticipated that there would be much increase in the cost of postage for mailing fingerprints from one county to another or for costs of any other method of sending the fingerprints to another location.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, KJG, DLBa