

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

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

**April 8, 2005**

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

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

**IN RE: SB1005** by Carona (Relating to the suspension of sentence and the deferral of final disposition for a defendant younger than 25 in certain misdemeanor traffic cases.), **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 as it relates to the suspension of sentence and the deferral of final disposition of a person 25 years of age or younger who commits a traffic offense classified as a moving violation and that is under the jurisdiction of a justice court or a municipal court. The bill would take effect September 1, 2005 and would apply only to an offense committed on or after that date.

One of the proposed changes would be that, for a defendant aged 25 years or younger who does not satisfactorily complete the requirements imposed by the court, the court would be required to assess the full fine. Under current statute, the court has discretion of imposing the full fine or a lesser fine upon any person who does not satisfactorily complete the conditions of deferral. While the proposed change could increase revenue, the amount is not expected to be significant.

**Local Government Impact**

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

**Source Agencies:**

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