

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB1357 by Gattis (Relating to fees for the mileage necessary for a peace officer to perform certain services.), **As Introduced**

The fiscal impact would vary by peace officer agency depending on how many miles the agency's peace officers drive per year to which a defendant would be required to reimburse the agency, as well as collection rates. The total fiscal impact is therefore indeterminable.

The bill would amend Article 102.011(b) of the Code to Criminal Procedure to require defendants to pay the General Appropriation Act state mileage reimbursement rate for services provided by a peace officer under the subsection.

The bill would take effect September 1, 2007, and the increased mileage reimbursement rate could not be imposed on offenses occurring before the effective date.

The General Appropriation Act, Section 5.04 in Article IX, specifies the state mileage reimbursement rate is equal to the Internal Revenue Service's maximum fixed mileage allowance. As of January 1, 2006, the mileage allowance is 44.5 cents per mile, which is 53.5 percent higher than the current statutory rate of 29 cents per mile. Under the bill, local governments would see increased reimbursements.

Local Government Impact

The fiscal impact would vary by peace officer agency depending on how many miles the agency's peace officers drive per year to which a defendant would be required to reimburse the agency, as well as collection rates.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, ES, DB