

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 19, 2007

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

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

IN RE: HB1801 by Zerwas (Relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case and to the posting of notice for a criminal court docket.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case. The bill would provide that the prosecuting attorney may not make an appeal later than the 20th day after the date a court enters an order, ruling or sentence, rather than the 15th day as provided in current law. To the extent the bill would allow prosecutors more time in which to file an appeal to court orders, rulings or sentences, no significant fiscal implication to the State is anticipated.

The bill would also amend the Code of Criminal Procedure to require the clerk of a court that does not provide online Internet access to post in a designated public place in the courthouse notice of a criminal court docket setting not less than 48 hours before the setting.

The bill would take effect September 1, 2007.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, ES, ZS, TB