

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 24, 2007

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

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

IN RE: HB2675 by Alonzo (Relating to pretrial hearings in criminal cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Article 28.01, Code of Criminal Procedure, to require a court to set a pre-trial hearing in any criminal case if the state or the defendant requests the hearing. The court would be required to hold the hearing not later than the 30th day before the date on which trial commences.

The bill would apply only to a criminal case in which the indictment or information is presented to the court on or after the effective date of the bill, which would be September 1, 2007.

The Office of Court Administration anticipates the change in provisions would have an insignificant fiscal impact on state trial courts.

Local Government Impact

Generally, counties reported that there would be little or no fiscal impact to implement the provisions of the bill; however, Dallas County, where some courts already require pretrial hearings, assumes the proposed provisions of the bill would be used to delay trials, which would increase the backlog of criminal cases and therefore increase jail costs.

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

LBB Staff: JOB, ES, DB