

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 7, 2007

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

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

IN RE: HB3416 by Garcia (Relating to providing psychological counseling to jurors or alternate jurors in certain criminal trials.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a county commissioners court to approve a program through which the crime victim liaison or victim assistance coordinator may offer not more than 10 hours of post-trial psychological counseling for a person who serves as a juror or alternate jurors in certain criminal trials involving graphic evidence or testimony, if the juror makes a request for the counseling by the 180th day after the date on which the jury is dismissed. A provider may be used that assists local criminal justice agencies in providing similar services to victims.

The bill would apply only to jurors or alternate jurors serving in a criminal trial that begins on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

The fiscal impact would vary by county that would choose to establish the program, depending on how many such trials are held, how many of the jurors or alternate jurors may request counseling, and what counseling services are available in the area and what charges those services impose.

Two of the largest counties provided fiscal impact data regarding the provisions of the bill. Harris County estimates that there would be between 40 and 70 trials annually for the types of offenses to which the bill would apply. If all of the jurors in each trial requested and were provided the counseling at a cost of between \$75 and \$90 per hour, the county would incur annual costs of between \$360,000 and \$760,000, increasing by 3 percent for inflation each year. Bexar County assumed half of the eligible jurors and alternates would request and be provided counseling at a cost of \$90 per hour per person, for a total cost to the county of \$465,750.

It is assumed a county commissioners court would establish the program only if the costs could be absorbed within the county's budget for the crime victim liaison or victim assistance coordinator.

Source Agencies:

LBB Staff: JOB, ES, DB