

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 10, 2007

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

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

IN RE: SB799 by Ellis (Relating to photograph and live lineup identification procedures in criminal cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure by adding Section 38.20 requiring the Office of the Attorney General (OAG) to develop, adopt and disseminate to all state and local law enforcement agencies, written policies and procedures and training materials regarding the administration of photograph and live lineup identification procedures. The OAG anticipates any additional work or cost resulting from implementation of the bill could be reasonably absorbed with current resources.

Local Government Impact

Costs to local law enforcement to implement the provisions of the bill would depend upon current photograph and live lineup procedures at the departments. The Travis and Harris County Sheriff's Offices report no significant fiscal impact to implement the provisions of the bill. However, the Houston Police Department reports costs of \$16.6 million in fiscal year 2008, mostly for salaries and operational costs for 68 new officers. These costs would rise to \$17.3 million by 2012.

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety

LBB Staff: JOB, ES, JM, KJG