

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 4, 2007

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

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

IN RE: SB1083 by Carona (Relating to authorizing a judge or justice of the peace to request and obtain a copy of certain defendants' driving records from the Department of Public Safety using TexasOnline.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to authorizing a judge or justice of the peace to request and obtain a copy of certain defendants' driving records from the Department of Public Safety (DPS) using Texas Online.

The bill would amend Code of Criminal Procedure, Article 45 which would allow a judge or a justice of the peace, upon receiving a request from a defendant for a driving safety course or motorcycle operator training course dismissal, to require the defendant to pay the sum of a \$10 fee and the Texas Online fee and, using Texas Online, request DPS to provide the judge with a copy of the defendant's driving record. DPS would provide the record as soon as practicable using Texas Online. The fees would be forwarded to DPS through the use of Texas Online. The municipalities and counties would be required to keep a record of the fees collected. The bill would apply to offenses after September 1, 2007 and would take effect on that day.

DPS, the Office of Court Administration and the Comptroller of Public Accounts state that the provisions in the bill would have no significant fiscal impact to their agencies. DPS estimates no additional revenue will be generated by the provisions in this bill since no additional driver license requests are expected. DPS states that the bill would change the way in which records are requested (online instead of at a DPS driver license office), but not change the amount of requests currently received.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety

LBB Staff: JOB, ES, GG, LG, KJG