

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 23, 2007**

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

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

**IN RE: SB1428** by Duncan (Relating to the arrest and commitment of certain individuals arrested under a warrant issued because of a violation of the conditions of parole.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to require a magistrate to include when notifying a sheriff of the county in which an offense was alleged to have been committed that a person has been arrested in the county in which the magistrate presides that the person was arrested under a warrant issued for a violation of parole or mandatory supervision. The bill would specify that the sheriff receiving such notice would be required to bring the person before the proper magistrate before the 11th day after the date the person is committed to the jail of the county in which the person was arrested.

Under current statute, no differentiation is made as to whether notification sent to a sheriff to pick up a person arrested in another county was arrested under a warrant for a parole or mandatory supervision violation. In addition, current statute requires the sheriff, upon receiving notice of an arrest, to go or send for the person and take them before the proper magistrate, but does not specify doing so before the 11th day after the arrest.

The bill would take effect September 1, 2007.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ES, DB