

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 14, 2007

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: SB1557 by Hinojosa (Relating to the appointment of an attorney to represent an indigent defendant who is in the custody of a correctional facility of the Texas Department of Criminal Justice or another related correctional facility.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Code of Criminal Procedure relating to the appointment of an attorney to represent an indigent defendant in the custody of a correctional facility, including a facility of the Texas Department of Criminal Justice. The bill would require the state to reimburse a county for the compensation and expenses of counsel representing an indigent inmate defendant. According to the Office of Court Administration, based upon a three year average of the number of conflicts as reported by the State Council for Offenders, the State will incur approximately a \$4,000 expense each year. To the extent the bill would result in the State paying attorney expenses formerly paid by counties for indigent inmate defendants, no significant fiscal implication to the State is anticipated. The bill would take immediate effect if the bill receives two-thirds the vote of all members; otherwise, the bill would take effect September 1, 2007.

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, 696 Department of Criminal Justice

LBB Staff: JOB, TB, KJG, ES, ZS