

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 17, 2009**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB298** by Dutton (Relating to the admissibility of certain evidence in capital cases in which the state seeks the death penalty.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure relating to the admissibility of certain evidence in capital cases in which the State seeks the death penalty. The bill would provide that testimony of informants or alleged accomplices in certain circumstances is not admissible and that a defendant's statements against interest must be corroborated by an electronic recording. To the extent the bill would amend court procedures in death penalty cases, no significant increase in judicial workloads or fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

**Local Government Impact**

No significant increase in judicial workloads or fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JOB, ESi, TB