

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

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

**March 18, 2009**

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

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

**IN RE: HB304** by Dutton (Relating to the extent of a defendant's criminal responsibility for the conduct of a co-conspirator in certain felony cases.), **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 to prohibit a sentence of death for a defendant found guilty of a capital felony if found guilty though the criminal responsibility for conduct of another.

The bill would take effect immediately if it receives a vote of two-thirds of all the members of each house. If it does not receive the necessary vote for immediate effect, it would take effect on September 1, 2009. The bill would apply to criminal proceedings that commence on or after the effective date.

It is assumed the number of persons convicted under this statute would not result in a significant impact on programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

**Local Government Impact**

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

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

**LBB Staff:** JOB, ESi, GG, TMP