

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 4, 2009

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

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

IN RE: HB430 by Castro (Relating to the authority of certain magistrates to issue certain search warrants.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would authorize a magistrate who is an attorney licensed by the State of Texas to issue a search warrant under Article 18.02(10), Code of Criminal Procedure, and would remove authorization of other judges currently included in the statute from issuing a search warrant under that article. In a county that does not have a magistrate who is an attorney licensed by the State of Texas, any magistrate would be authorized to issue a warrant under Article 18.02(10).

The proposed changes would apply only to a search warrant issued on or after the effective date of the bill, which would be September 1, 2009.

Local Government Impact

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

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

LBB Staff: JOB, ESi, DB