

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

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

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

IN RE: HB1399 by Guillen (Relating to the conduct of certain inquests by municipal court judges.),
Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would add Subchapter C to Chapter 49 of the Code of Criminal Procedure to authorize a judge of a municipal court to conduct an inquest into the death of a person who dies in the municipality served by the judge to the same extent a justice of the peace serving the precinct may conduct an inquest. If a municipal court judge exercising a power or performing a duty under authority of the subchapter requests the services or expertise of a person who would be entitled to be paid a fee for conducting an inquest on a dead body or under other applicable law, the governing body of the municipality served by that judge would be required to pay the fee associated with providing the services or expertise to the same extent as a county commissioners court would pay for those services or expertise, including for autopsies and tests.

Local Government Impact

Costs would vary by municipality depending on how frequently a municipal court judge would request the described services. According to information provided by Midland County, a blood test when a full autopsy is not necessary costs \$350; a full autopsy costs \$2,500 per body; and costs of transporting a body for autopsy is \$2,500.

Source Agencies:

LBB Staff: JOB, DB, ESi