

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 13, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: HB1985 by Martinez Fischer (Relating to the requirement that certain defendants in a criminal case undergo testing for HIV infection and other diseases.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the requirement that certain defendants in a criminal case undergo testing for HIV infection and other diseases. The bill would require a judge to order defendants accused of certain sex offenses to undergo a HIV test or other tests for sexually transmitted diseases upon request of the victim of the offense. According to the Office of Court Administration, the judge currently may order such a test, but is not required to do so. To the extent the bill would modify judicial proceedings and result in a minimal increase in the number of diagnostic tests ordered, 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

The bill would likely result in a slight increase in the number of AIDS tests ordered; however, the increase is not anticipated to result in a significant fiscal impact to local governments.

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

LBB Staff: JOB, ESi, TB, TP