

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

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

**April 21, 2009**

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

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

**IN RE: HB3881** by Alonzo (Relating to the right to an expunction of records and files relating to a person's arrest.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure with respect to expunction of files and records of arrest. The bill would entitle a person to an expunction if the indictment or information charging the person is dismissed or quashed. The bill would also allow a district court to expunge arrest records and files if the prosecuting attorney recommends expunction. If not receiving the vote necessary for immediate effect, the bill would take effect September 1, 2009. This analysis assumes that any fiscal or operational impact associated with the bill would be minimal.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety

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