

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

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

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

IN RE: SB261 by Deuell (Relating to the taking of a specimen of the breath or blood of certain persons arrested for an intoxication offense.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to add to the circumstances under which a peace officer would be authorized to take a specimen of a person's breath or blood.

The bill would also amend the Transportation Code to relieve a facility from liability for the taking of a blood specimen pursuant to a search warrant if the specimen was taken according to recognized medical procedures.

Local Government Impact

No significant fiscal implication to units of local government is anticipated as a result of additions pertaining to the circumstances under which a specimen of a person's breath or blood may be taken.

If a facility where a blood specimen is taken pursuant to a search warrant is owned or operated by a local government entity, provisions of the bill could prevent the entity from experiencing costs arising from a lawsuit.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, DB, ESi, GG