

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 2, 2009

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

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

IN RE: SB298 by Carona (Relating to the authority of the Department of Public Safety of the State of Texas and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would authorize the Department of Public Safety (DPS) in counties with a population of more than 250,000, county sheriffs in a county with a population of 250,000 or more, or a police department in a municipality with a population of 500,000 or more to operate a temporary sobriety checkpoint on a highway or street. The parameters for approving, establishing, operating, publicizing, and keeping records of the checkpoint are included in the bill. The bill would also require law enforcement agencies utilizing temporary sobriety checkpoints to report the operation of each checkpoint during the preceding calendar year to DPS and require DPS to submit a report on the effectiveness of sobriety checkpoints to the governor, the lieutenant governor, and the speaker of the house of representatives.

The bill would take effect immediately if it were to receive the required two-thirds vote in both houses; otherwise, it would take effect September 1, 2009.

It is anticipated that an agency (state or local) would establish and operate sobriety checkpoints only if the agency has sufficient resources for the operation; therefore, no significant fiscal impact is anticipated.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ESi, KJG, DB