

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 11, 2009**

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

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

**IN RE: SB312** by Wentworth (Relating to the regulation and certification of medical examiners and the conduct of autopsy and inquest investigations by justices of the peace and medical examiners; providing penalties.), **As Engrossed**

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

The bill would amend various sections of the Code of Criminal Procedure relating to requirements for justices of the peace and medical examiners regarding autopsies and investigations. Among the changes that would have a fiscal impact would be the requirement that a chief medical examiner hold an inquest when a person dies within 24 hours after the person was placed into law enforcement custody or dies as a result of medical treatment or therapy. Various reporting requirements by medical examiners to county officials under current statute would be removed.

**Local Government Impact**

The fiscal impact to local governments regarding inquests of deaths of persons in law enforcement custody or as a result of medical treatment or therapy would depend on the number of such deaths that occur. The costs are not anticipated to be significant. As an example of potential impact, Midland County (2000 U.S. Census population of 116,009) reports that the current cost of performing an autopsy is \$2,000.

**Source Agencies:** 503 Texas Medical Board

**LBB Staff:** JOB, ESi, MN, DB, TP