

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

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

**April 17, 2009**

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

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

**IN RE: SB411** by Carona (Relating to a restitution lien for the state to secure fines or costs in a misdemeanor case.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend Article 42.22 of the Code of Criminal Procedure to establish the state's authority to secure a restitution lien against the fines and costs assessed on a defendant in a misdemeanor criminal case.

According to the Office of Court Administration, the bill would provide government with an additional tool to collect criminal court costs in misdemeanor criminal cases. This tool is currently available in felony cases, but is not used often. It is expected that the use of this tool in misdemeanor cases would follow a similar pattern; therefore, no significant fiscal implication to state or local government is anticipated.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

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