

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: SB413 by Carona (Relating to the prosecution of a Class C misdemeanor offense for which the defendant does not appear.), **As Introduced**

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| <p>No significant fiscal implication to the State is anticipated.</p> |
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The bill would amend the Code of Criminal Procedure to require prosecutors to file complaints in Class C misdemeanor cases in which the defendant has failed to appear.

According to the Office of Court Administration, this additional document preparation and filing requirement would serve to keep cases from being barred at a later time by the statute of limitations. Any additional costs in preparing and filing the complaints would not be significant and would most likely be offset by fees from convictions in cases that would otherwise have been barred from prosecution by the statute of limitations. Accordingly, there is not expected to be any significant fiscal implications.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, ESi, DB