

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 23, 2009

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

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

IN RE: SB595 by Hegar (Relating to the sealing of and discovery procedures relating to evidence that constitutes child pornography in a criminal hearing or proceeding.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the sealing of and discovery procedures for evidence that constitutes child pornography in a criminal hearing or proceeding. The bill would prohibit the copying or distribution of evidence that constitutes child pornography to the public, provided the evidence is made reasonably available to the defendant as described. The bill would direct a court to place the evidence under seal at the conclusion of a criminal hearing or proceeding, with provisions that the seal may be lifted if doing so is in the best interest of the public. To the extent the bill would amend court procedures in criminal hearings or proceedings, no significant fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

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, JP, TB, DB