

**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: SB712** by Hegar (Relating to the requirement that certain defendants in a criminal case undergo testing for HIV infection and other diseases.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Code of Criminal Procedure relating to the requirement that certain defendants in a criminal case undergo testing for HIV infection and other diseases. The bill would require a judge to order certain criminal defendants undergo testing for HIV infection in certain situations. This is a change from the current law which permits the judge to order a criminal defendant to undergo such testing.

The bill would likely result in more HIV tests being ordered than are currently ordered. While there is a cost for the testing, the bill states that the person charged with the offense shall pay the costs of testing. Accordingly, no significant cost increases to the state are 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

**LBB Staff:** JOB, ESi, JP