

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

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

**April 8, 2009**

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

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

**IN RE: SB920** by Harris (Relating to the right to an expunction of records and files relating to a person's arrest.), **Committee Report 1st House, Substituted**

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

The bill would amend the Code of Criminal Procedure as it relates to certain conditions under which an individual is entitled to an expunction of criminal arrest records. The bill would add as conditions for an expunction that the applicable limitations period has expired, and that the court reasonably believes that the state will not proceed against the person for the offense. The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If it does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2009. The analysis assumes that implementing the provisions of the bill would not pose a significant fiscal impact to the state.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, ESi, GG, MWU