

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: SB1173 by Seliger (Relating to certain procedures for delivery of a warrant of execution and modifications or withdrawals of a warrant of execution.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require a clerk of the court in which a death sentence is pronounced to send a copy of a warrant of execution by certified mail, return receipt requested, to the attorney of record, if any, for the condemned person; the district attorney, criminal district attorney, or county attorney having felony jurisdiction for the county in which the judgment of conviction was entered; and the attorney general. If the warrant of execution is modified or withdrawn, the clerk would be required to send a copy of the order for modifying or withdrawing the warrant by certified mail, return receipt requested, to the Texas Department of Criminal Justice for delivery to the condemned person and to the same parties to whom the warrant of execution was originally sent.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

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