

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 24, 2009

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

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

IN RE: SB1454 by West (Relating to the right to an expunction of records and files relating to a person's arrest.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to the right to an expunction of records and files relating to a person's arrest. The bill would expand the pool of persons who are eligible to seek an expunction of records and files relating to a person's arrest, which would likely cause an increase in the number of petitions filed in district courts. However, it is assumed that the increase in petitions could be reasonably handled within current resources and funding. The bill would also repeal Article 55.01(a-1), Code of Criminal Procedure. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on 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, 405 Department of Public Safety, 697 Board of Pardons and Paroles

LBB Staff: JOB, ESi, GG, MWU