

**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: SB1976** by Whitmire (Relating to procedures for applications for writs of habeas corpus based on relevant scientific evidence. ), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend the Code of Criminal Procedure relating to procedures for applications for writs of habeas corpus based on relevant scientific evidence. The bill specifies that evidence to discredit scientific evidence presented at trial is among the types of claims or issues that can affect court consideration of an application for a writ of habeas corpus. To the extent the bill modifies claims that can be considered for writs of habeas corpus, the rules change is not anticipated to increase the workload of the court system. 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, ZS, JP, TB