

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 23, 2011

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB115 by McClendon (Relating to the creation of a commission to investigate convictions after exoneration and to prevent wrongful convictions.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the code of Criminal Procedure by creating the Texas Innocence Commission. The nine member commission, appointed by the Governor, would make thorough review or investigation of all cases in which innocent persons are convicted and exonerated. The bill provides details of the commission such as: duties of the board, election of the presiding officer, qualifications and removal of commission members, commission member training, and the commission being subject to review under the Texas Sunset Act. The commission would be required to conduct a public hearing at least once annually and would be required to compile a detailed annual report of its findings and recommendations. The commission would submit the reports to the governor, the lieutenant governor, the speaker of the house of representatives, and to the legislature not later than December 1 of each even-numbered year.

Members of the commission would receive no compensation for commission services but would be entitled to reimbursement by the commission for the member's actual and necessary expenses incurred in performing commission duties, subject to the availability of funds that may be appropriated to the commission by the state. The commission may apply for and accept gifts, grants and donations from organizations described in the bill and the commission shall be assisted by the Texas Legislative Council, Legislative Budget Board, and the University of Texas at Austin, and any other state agency able to assist the commission. For this analysis it is assumed that the bill would not result in a significant fiscal impact to the State or in a significant increase on the workload or demand for resources and services of the agencies required to provide assistance.

Local Government Impact

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

Source Agencies: 103 Legislative Council, 720 The University of Texas System Administration

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