

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 1, 2011**

**TO:** Honorable Byron Cook, Chair, House Committee on State Affairs

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

**IN RE: HB183** by Solomons (Relating to the duty of a law enforcement agency to verify the immigration status of an arrested person.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure to require a law enforcement agency to verify a person's immigration status by a peace officer or other law enforcement officer that is authorized under federal law to verify immigration status before being released on bond, and to notify the United States Immigration and Customs Enforcement if the person is not a United States citizen not later than 48 hours after the person is arrested.

**Local Government Impact**

There could be a fiscal impact associated with the provisions of the bill; however, those amounts would vary depending on current procedures in a locality.

According to the Texas Association of Counties (TAC), Comal County reported the fiscal impact would not be significant. However, TAC also noted that the majority of counties, especially smaller counties, could experience a significant fiscal impact to implement the provisions of the bill.

Harris County reported the fiscal impact would not be significant unless the county would be responsible for transporting offenders to other state or federal facilities. Harris County reported over 130,000 such bookings in a typical year, not including prisoners taken into custody on bail offenses by city agencies which maintain a jail at some level within the county.

**Source Agencies:** 405 Department of Public Safety

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