

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 25, 2011

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

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

IN RE: HB488 by Dutton (Relating to standards for judicial review of certain writs of habeas corpus in capital cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to standards for judicial review of certain writs of habeas corpus in capital cases. The bill would change a standard for judicial review of certain writs of habeas corpus from clear and convincing evidence to a preponderance of the evidence. To the extent the bill would modify court procedures, no affect on judicial workloads or fiscal implication to the State is anticipated. The bill would take immediate effect if the bill receives two-thirds the vote of all members. Otherwise, the bill would take effect September 1, 2011.

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, TB