

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 27, 2011

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

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

IN RE: HB809 by Darby (Relating to the use of certain fees collected for pretrial intervention programs offered in a county.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a district, criminal district, or county attorney to collect a maximum fee of \$500 to reimburse a county for expenses related to a defendant's participation in a pretrial intervention program offered in that county. The bill also would allow any remaining funds to be used to defray the salaries and expenses of the prosecutor's office, but would prohibit using the money to supplement the attorney's own salary.

According to the Comptroller of Public Accounts (CPA), the current payment from defendants to pretrial intervention programs offered in a county is not to exceed \$500. Since the payment is to a pretrial intervention program and not to the state, there would be no effect on state revenue.

Local Government Impact

The Comptroller of Public Accounts (CPA) provided information from several counties that reported implementing the provisions of the bill would not have a significant fiscal impact. The fiscal year (FY) begins October 1 for the three counties.

Collin County reported start-up costs would be negligible and the county would not need new personnel or equipment to implement the provisions of the bill.

Tom Green County reported that start-up costs would be minimal. Tom Green County has an existing pretrial program that can be modified to address the provisions in the bill and the county would not need new personnel or equipment to implement the provisions of the bill.

Sherman County reported that the county does not anticipate any personal or equipment costs to implement the provisions of the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JOB, ESi, TP, TB, JJO