

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 13, 2011

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: HB1173 by Riddle (Relating to the release on bond of certain persons arrested for a misdemeanor without a warrant in certain counties.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to increase the number of hours from 24 hours to 36 hours after a person is arrested for a misdemeanor without a warrant and who is jailed in a county with a population of three million before the person can be released on bond.

Local Government Impact

Harris County reported that the county has difficulty meeting the 24-hour probable cause hearing deadline in some cases, generally due to the computers of law enforcement agencies being down or a large volume of traffic through the county systems which slows the necessary preparation of paperwork. Therefore, the bill is anticipated to save the county some time and effort for the extension to 36 hours. In addition, the Harris County District Clerk, District Attorney, and other impacted offices would likely experience a cost savings by a reduced number of extension requests that would otherwise have to be prepared and recorded.

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

Source Agencies: 409 Commission on Jail Standards

LBB Staff: JOB, ESi, TP