

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: HB1641 by Dutton (Relating to the creation of a commission to study capital punishment in Texas and to a moratorium on executions.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would establish a Texas Capital Punishment Commission to study capital punishment in this state, concentrating particularly on issues relating to the legal representation of inmates in capital cases, the certainty of the guilt of individuals convicted in capital cases, and the sufficiency of appellate review of convictions in capital cases. The nine member commission would be appointed by the governor, three of whom must be appointed from a list of candidates submitted to the governor by the speaker of the house of representatives and three of whom must be appointed from a list of candidates submitted to the governor by the lieutenant governor. By December 1, 2012, the commission shall submit proposed legislation to correct any inequities in the capital punishment process in this state. Members of the commission are not entitled to compensation but are entitled to reimbursement for travel expenses. The Texas Legislative Council and the Legislative Budget Board would assist the commission in its duties. The commission would be abolished on January 1, 2013 and this article would expire on that date. The bill would establish a moratorium on executions between the effective date of September 1, 2011 and September 1, 2013.

The Texas Legislative Council and the Legislative Budget Board do not anticipate a significant fiscal impact from assisting the commission in its duties. Members of the commission would be entitled to reimbursement for travel related expenses out of GR funds; however, the cost is not anticipated to be significant.

Local Government Impact

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

Source Agencies: 103 Legislative Council, 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, ESi, GG