

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

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

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

IN RE: HB2472 by Marquez (Relating to the reporting of certain warrant or capias information to the national crime information center.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require a sheriff to report to the National Crime Information Center (NCIC) of a warrant or capias issued for a defendant charged with a felony who fails to appear in court. The bill also would authorize a sheriff to report a misdemeanor other than a Class C warrant or capias to the NCIC. Under current statute, a sheriff is required to report a warrant issued for any crime other than a Class C misdemeanor.

According to the Office of Court Administration (OCA), although the provisions of the bill could result in more out-of-state arrests of Texas defendants, each county sheriff, in cooperation with the issuing judge, would decide whether or not to seek extradition, thereby incurring extradition expenses. Each case would vary according to that decision; therefore, no significant fiscal impact is anticipated.

The bill would take effect September 1, 2011.

Local Government Impact

There could be a fiscal impact to a county, but the amounts would vary depending on a county's current procedures. It is assumed that a county would seek extradition only if sufficient resources were available; therefore, no significant fiscal implication is anticipated.

The Travis County Sheriff's Office reported the provisions of the bill would not have a fiscal impact on the county since the agency currently enters all felony warrants and/or capias within the requested time frame. Travis County also stated that when time permits, the Warrants Section enters misdemeanor warrants.

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

LBB Staff: JOB, ESi, TP, TB