

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: HB2511 by Dutton (Relating to the joint or separate prosecution of a capital felony charged against two or more defendants and the extent of a defendant's criminal responsibility for the conduct of a coconspirator in capital felony cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the joint or separate prosecution of a capital felony charged against two or more defendants and the extent of a defendant's criminal responsibility for the conduct of a coconspirator in capital felony cases. According to the Office of Court Administration, under current law, a court has discretion to jointly try two or more defendants who are charged with the same offense or with any offense growing out of the same transaction in capital felony cases. To the extent the bill would amend court procedures to necessitate two or more capital trials rather than one trial, no significant increase in judicial workloads or fiscal implication to the State is anticipated.

Local Government Impact

The costs of adjudicating two or more capital trials for two or more defendants rather than only one trial may have a fiscal implication for any particular jurisdiction. Because this estimate assumes such circumstances would be infrequent, no significant implication to units of local government statewide is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, TB, KKR