

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 21, 2011

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

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

IN RE: HB2689 by Deshotel (Relating to certain inmates entering certain pleas by mail or certain secure electronic transmissions.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require that a court accept a written plea of guilty or nolo contendere for a Class A or B misdemeanor via United States mail or secure electronic or facsimile transmission from an incarcerated inmate in a facility operated by or under contract with the Texas Department of Criminal Justice (TDCJ). A court would be required to verify that the person submitting the plea is the same person named in the information or a person with legal authority to enter a plea on behalf of the person named in the information. A plea described by the provisions of the bill would be required to be accompanied by a waiver of jury trial.

The bill would take effect September 1, 2011.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, TP, AI