

**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: HB3695** by Gallego (Relating to confidentiality of Class C misdemeanor records related to the conviction of a child.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure and the Family Code to make all records and files and information relating to a child who is convicted of and has satisfied the judgment for a fine-only misdemeanor offense other than a traffic offense confidential except under certain circumstances. Information could only be open to inspection by a judge or court staff, criminal justice agency, the Department of Public Safety, an attorney for the party, a child defendant, or the defendant's parent, guardian or managing conservator.

The bill would repeal Section 411.081(f-1) and (j) of the Government Code to prevent the release of information to disallowed entities.

The bill would take effect September 1, 2011.

**Local Government Impact**

There could be a fiscal impact to some local governmental entities depending on what the current procedures were regarding notifying the requisite agencies after a judgment had been satisfied. There could also be costs to provide training to a court clerk regarding discerning cases that are subject to the nondisclosure provisions and those that are not which could result in the elimination of court consideration of nondisclosure petitions. No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 665 Juvenile Probation Commission

**LBB Staff:** JOB, ESi, TP, TB, MWU