

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 25, 2011

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB462 by West (Relating to the expunction of records and files relating to a person's arrest.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would expand the circumstances by where a person who has been arrested for a felony or misdemeanor is entitled to an expunction, which may result in additional petitions for expunction being filed in the district courts. Provisions in the bill make ineligible from expunction a defendant who intentionally or knowingly absconds after being released following arrest. This bill would permit certain law enforcement agencies and prosecuting attorneys to retain arrest records of a person entitled to an expunction under certain circumstances. This analysis assumes that any agencies affected by this bill could implement the provisions of the bill within existing appropriations.

Local Government Impact

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, 697 Board of Pardons and Paroles

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