

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 23, 2011**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: SB779** by Whitmire (Relating to a central database containing information about certain persons who have been convicted of or received a grant of deferred adjudication for certain offenses involving animal cruelty; providing a criminal penalty. ), **Committee Report 1st House, Substituted**

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

The bill would add Chapter 61A to the Code of Criminal Procedure to require the Department of Public Safety (DPS) to establish and maintain a computerized central database and system of public registration regarding individuals who have been convicted or received deferred adjudication for offenses involving animal cruelty, only to the extent sufficient funding is available from gifts, grants, or donations. If the database and system of public registration is established by DPS, persons convicted or placed on deferred adjudication for certain animal cruelty offenses would be required to register until the 10<sup>th</sup> anniversary of the conviction or grant of deferred adjudication. The bill would provide procedures for these persons to petition the courts for exemption from registration. Noncompliance with the provisions of registration included in the bill would be a Class C Misdemeanor.

The provisions of the bill would apply to individuals convicted of or receiving deferred adjudication for the applicable offenses on or after the effective date of the bill. An offense committed before the effective date of the bill is governed by the law in effect on the date the offense was committed. The bill would take effect immediately with a two-thirds vote of the members of each house. Otherwise, the bill would take effect September 1, 2011. No significant fiscal impact to the state is anticipated.

**Local Government Impact**

The bill could place additional administrative demands on local law enforcement; however, costs associated with these duties are not anticipated to be significant to local governments.

**Source Agencies:** 405 Department of Public Safety, 409 Commission on Jail Standards, 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

**LBB Staff:** JOB, ESi, GG, KKR, AI