

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 29, 2011

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

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

IN RE: SB1752 by Uresti (Relating to confidentiality of certain Class C misdemeanor records related to the conviction of a child.), **As Engrossed**

No 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 Class C misdemeanor offense, other than a traffic offense, confidential and may not be disclosed to the public except as provided under Article 45.0217(b). Information could only be open to inspection by a judge or court staff, a criminal justice agency, the Department of Public Safety (DPS), an attorney for the party, the 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 unauthorized entities.

Local Government Impact

According to the analysis of the Office of Court Administration, there could be a costs to some local governmental entities, but the amounts would vary depending on the current procedures for notifying the requisite agencies once a judgment has been satisfied, and for additional training to enable the court clerk to discern which cases would be subject to the nondisclosure provisions and which would not. The provision may obviate court consideration of nondisclosure petitions; therefore, no significant fiscal impact is anticipated.

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

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