LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 25, 2013

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB167** by McClendon (Relating to the establishment, operation, and funding of victim-offender mediation programs.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would allow for the establishment, operation and funding of pretrial victim-offender mediation programs. The pretrial victim-offender mediation program would be established by the commissioners court of a county or governing body of a municipality and made available to persons who have been arrested for or charged with a misdemeanor under Penal Code, Title 7, and have not been previously convicted of a felony or a misdemeanor other than a misdemeanor traffic violation punishable by fine only.

Local Government Impact

The bill would permit the commissioners court, municipality, and court implementing the program to adopt administrative and local rules necessary to implement or operate the program.

The bill would require collection of a program participation fee not to exceed $500 from defendants in the program and would permit, but not require, an alcohol or controlled substance testing, counseling and treatment fee. The bill would also require payment of $15 in court costs by defendants who successfully complete the terms of the mediation agreement, or on conviction. The bill would further provide for court costs and program fees to be retained by the local entity to defray administration and costs of the program.

The bill would require some additional workload of local clerks, but costs would be offset by court costs and program fees. Net impact to local governments would vary but is not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
                         Comptroller of Public Accounts

LBB Staff: UP, ESi, SD, KKR, JJO, TB