

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB439 by Dutton (Relating to the restoration of certain rights to a criminal defendant.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to restoration of certain rights to a criminal defendant. The bill would allow a person convicted of certain offenses to submit an application for restoration of any civil rights forfeited under state laws as a result of the conviction. The Board of Pardons and Paroles (BPP) indicates to implement the provisions of the bill, BPP would need to create a new division of staff (including additional BPP members) to handle the potential workload which would have a significant fiscal impact on BPP. However, because of the historically few numbers of applications for restoration of civil rights (per BPP data: one application in fiscal year 2010; one in fiscal year 2011; and three in fiscal year 2012), to the extent the bill would amend statutory provisions relating to rights of defendants in certain conditions, no significant fiscal implication to the State is anticipated. The bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 697 Board of Pardons and Paroles

LBB Staff: UP, ESi, JN, KJo, AHE, TB, AI