

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 18, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB439** by Dutton (Relating to the restoration of certain rights to a criminal defendant.),
Committee Report 1st House, Substituted

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 any state offense, other than an offense for which an individual is required to register as a sex offender or an offense involving drugs, 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