

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 1, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1096** by Canales (Relating to the electronic recording and admissibility of certain custodial interrogations.), **As Introduced**

|   |
|---|
| <b>No significant fiscal implication to the State is anticipated.</b> |
|---|

The bill would require electronic recording of all custodial interrogations related to the crimes against persons listed in the bill. No oral, sign language, or written statement made as a result of custodial interrogation would be admissible against the accused unless an electronic recording is made of the custodial interrogation, and warning is given and the accused waives his or her rights. The electronic recording must be preserved until all direct appeals have been exhausted or the state's prosecution of the offenses is barred by law. An oral, sign language, or written statement may be admitted if the state's attorney introducing the statement shows good cause for the lack of the recording.

**Local Government Impact**

The fiscal implications of the bill cannot be determined at this time

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405  
Department of Public Safety

**LBB Staff:** UP, ESi, KKR, TB