

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 19, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1246 by Turner, Sylvester (Relating to a defendant's authority to amend a motion for new trial in a criminal case.), **As Introduced**

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

The bill would amend the Code of Criminal Procedure to authorize defendants in criminal trials to file one or more amended motions for new trial in certain specified circumstances. The bill specifies that Rule 21.4(b) of the Texas Rules of Appellate Procedure is disapproved to the extent it conflicts with the bill, and withdraws rulemaking authority from the Court of Criminal Appeals with respect to a rule relating to the bill's topic. The change in law would apply only to a sentence imposed or suspended on or after the bill's effective date. The bill would take effect immediately if receiving a two-thirds vote of each house, otherwise the bill would take effect September 1, 2013.

The Office of Court Administration does not anticipate any significant fiscal impact to the court system resulting from the bill.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, ESi, AM