

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

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

**May 14, 2013**

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

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

**IN RE: HB1318** by Turner, Sylvester (Relating to the appointment of counsel to represent certain youths and indigent defendants.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require the court, in certain circumstances, to appoint counsel within a reasonable time before the initial detention hearing is held to represent the child at that hearing.

The bill would disallow a public defender from accepting an appointment under Article 26.04(f) if the acceptance of the appointment would violate the maximum allowable caseloads established at the public defender's office. A chief public defender would be required to file with the court any reason for refusing the appointment, and the chief public defender may not be terminated, removed, or sanctioned for refusing in good faith to accept an appointment.

The Office of Court Administration (OCA) does not anticipate a significant fiscal impact to the state. No significant impact to juvenile correctional populations is expected from the bill.

**Local Government Impact**

According to the Texas Association of Counties, the counties of Brazoria, Kerr, and Rockwall reported that no significant fiscal impact is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 644 Texas Juvenile Justice Department

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