

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

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

**April 3, 2013**

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

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

**IN RE:** **HB1344** by Canales (Relating to the expunction of arrest records and files relating to certain nonviolent offenses. ), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Chapter 55 of the Code of Criminal Procedure relating to the expunction of arrest records and files relating to certain non-violent offenses. Chapter 55 currently allows expunction for offenders placed on deferred adjudication community supervision only for Class C misdemeanors. The bill would expand authority to allow expunction for any offense other than an offense under Title 5, Penal Code. The bill would take effect September 1, 2013.

It is assumed that persons would be eligible for expunction under the terms of the bill only for offenses committed after the effective date of the bill. Since the bill stipulates that a period of not less than five years for misdemeanors and 10 years for felonies must pass after the date of discharge or dismissal from deferred adjudication community supervision for the offense, it is assumed that no significant impact on the volume of expunction requests will take place in the next five years.

**Local Government Impact**

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

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

**LBB Staff:** UP, ESj, AI, KNi, KKR, TB