

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 25, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1849 by Carter (Relating to criminal asset forfeiture, the disposition of proceeds and property from criminal asset forfeiture, and accountability for that disposition.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The Bill details expenditures of proceeds or property received for law enforcement and the office of an attorney representing the state.

The bill would require all law enforcement agencies and attorneys representing the state to account for seizure, forfeiture, receipt, and specific expenditures in an audit performed annually by either the auditor or an outside accounting professional of the law enforcement agency, political subdivision, or attorney representing the state. Current law directs the commissioner's court or governing body of a municipality to perform the audit.

The bill would allow the attorney general to adopt a secure process for electronically completing, verifying, and submitting an audit report under this bill. The attorney general would be required to make the audit reporting form available on the attorney general's Internet website or per attorney general adopted protocols. The audit form must include a detailed list and explanation of all expenditures. The audit report may be delivered or electronically submitted by the law enforcement agency or attorney representing the state.

It is assumed that any increased workload to state agencies could be absorbed with existing resources.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

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