

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

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

**April 28, 2013**

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

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

**IN RE:** **HB2573** by McClendon (Relating to making certain incompetency proceedings available for proceedings held to revoke community supervision granted to a defendant in a criminal case.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Chapter 46B, Code of Criminal Procedure, dealing with incompetency to stand trial, to include any proceedings in the case that relate to a revocation of deferred adjudication community supervision under Section 5(b), Article 42.12. This chapter would also apply to the revocation of community supervision of a defendant described above convicted after restoration of the defendant's competency.

The bill would also require the head of the facility or outpatient treatment program to provide notice to the community supervision and corrections department (CSCD) responsible for supervising the defendant if the defendant was serving a term of community supervision after conviction of a felony offense immediately before the most recent determination of competency.

The Department of State Health Services and the Texas Department of Criminal Justice reported that the provisions of the bill could be absorbed with existing resources.

**Local Government Impact**

Bexar County CSCD, Tarrant County CSCD, Wharton County CSCD, and Williamson County CSCD reported no fiscal impact associated with the bill.

**Source Agencies:** 537 State Health Services, Department of, 696 Department of Criminal Justice

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