

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

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

**April 10, 2013**

**TO:** Honorable Debbie Riddle, Chair, House Committee on Criminal Procedure Reform, Select

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

**IN RE: HB2804** by Toth (Relating to the creation of a commission to review certain penal laws of this state.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would create a commission to study and review all penal laws of this state other than criminal offenses under the Penal Code; under Chapter 481, Health and Safety Code; or related to the operation of a motor vehicle. The bill would require the commission to make recommendations to the Legislature regarding the repeal of certain laws and would also require the commission to report the commission's findings to the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Supreme Court of Texas, the Texas Court of Criminal Appeals, and the standing committees of the House of Representatives and the Senate with primary jurisdiction over criminal justice no later than November 1, 2014.

The bill would require the commission to be composed of nine members that meet requirements established in the bill. These would include two members each appointed by the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the Chief Justice of the Supreme Court of Texas. The bill would require that the presiding judge of the Texas Court of Criminal Appeals would appoint one member. The bill would expire and abolish the commission on December 31, 2014

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

The Office of Court Administration, Office of the Governor, and the Legislative Budget Board estimate that all duties and responsibilities associated with implementing the provisions of the bill could be accomplished within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 301 Office of the Governor

**LBB Staff:** UP, ESi, EP, CK, MW