

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: HB3207 by Alonzo (Relating to the authority of public defenders to refuse to accept indigent defense appointments for good cause.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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 reported that no significant impact is anticipated from the bill.

Local Government Impact

If the local government has a public defender's office in which the caseloads exceed the maximum allowable amount, then the local government would need to appoint and pay additional counsel. The fiscal impact for local governments would vary on future cases but may be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, ESi, KKR