

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 16, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB12 by Huffman (Relating to the admissibility of evidence of other similar offenses in the prosecution of certain sexual offenses.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure Article 38.37 to permit the admission of evidence that a defendant being tried for certain sexual crimes against children has committed certain separate offenses. The bill requires that a trial judge conduct a hearing out of the presence of the jury before the evidence is introduced to determine if the evidence will be adequate to support a finding that the defendant committed the separate offense beyond a reasonable doubt. The bill requires that the state give the defendant notice of their intent to introduce such evidence no later than the 30th day before the defendant's trial date. The Office of Court Administration indicates the bill's provisions would not result in significant fiscal impact to the state.

The bill would take effect on September 1, 2013, and only applies to the admissibility of evidence in a criminal proceeding that commences on or after that date.

Local Government Impact

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

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

LBB Staff: UP, ESi, AM, JPo