

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

TO: Honorable Royce West, Chair, Senate Committee On Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB117 by Hinojosa (Relating to the right of a person to enter the person's residence or former residence accompanied by a peace officer to recover certain personal property; providing penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to specify the circumstances under which a spouse is entitled to enter a marital residence accompanied by a peace officer for removal of certain items. The bill specifies that a person may apply to a justice court for an order authorizing such entry and property retrieval, and makes it a Class B misdemeanor to interfere with a person or peace officer acting pursuant to such an order.

The Office of Court Administration does not anticipate any significant fiscal impact to the court system resulting from the bill. The bill would take effect September 1, 2013.

Local Government Impact

Having a person apply to the justice court for an order authorizing entry to the residence would increase workload to county courts but is not anticipated to have a significant fiscal impact.

Having peace officers accompany to assist with the entry of the residence and removal of specific items would have some fiscal impact on local law enforcement but is not anticipated to have a significant fiscal impact.

Creating the Class B misdemeanor for interfering with an authorized entry is not anticipated to have a significant impact on units of local government.

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

LBB Staff: UP, CL, AM, JP, KKR