

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

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

**April 8, 2013**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: SB1292** by Ellis (Relating to DNA testing of biological evidence in certain capital cases.),  
**As Introduced**

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

The bill would amend Article 38.43 of the Code of Criminal Procedure to require that the Department of Public Safety perform DNA testing on all biological evidence collected as part of the investigation of a capital offense prior to the trial of a defendant in which the state is seeking the death penalty. The bill would take effect September 1, 2013. It is assumed that the costs associated with the bill could be absorbed within existing resources.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405  
Department of Public Safety

**LBB Staff:** UP, ESI, AI, KKR