

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Rodney Ellis, Chair, Senate Committee on Open Government

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1512 by Ellis (relating to the confidentiality of certain crime scene photographs and video recordings; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would make sensitive crime scene images confidential and not subject to disclosure under the Texas Public Information Act, except to: the deceased person's next of kin, a person authorized in writing by the deceased person's next of kin, a defendant being prosecuted for an offense involving the death of the deceased person or appealing a conviction of an offense in relation to that death or the defendant's attorney, a bona fide member of the news media, or a person performing bona fide research sponsored by a public or private institution of higher education. The custodian of the image would be required to notify the deceased person's next of kin before permitting a member of the media or a researcher to view or make a copy of the image. If the next of kin objects to the image being released within 30 business days of being notified, the custodian may not release the image.

The bill would create a Class C misdemeanor for permitting a person to view a sensitive crime scene image except as provided by the bill. A Class C misdemeanor is punishable by a fine of not more than \$500.

Local Government Impact

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

Costs associated with enforcement and prosecution of the offense created by the bill could be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

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

LBB Staff: UP, KKR

