

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 27, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB48 by McClendon (Relating to the creation of a commission to review convictions after exoneration and to prevent wrongful convictions.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB48, As Passed 2nd House: a negative impact of (\$341,326) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$171,109)
2017	(\$170,217)
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2015
2016	(\$171,109)	2.0
2017	(\$170,217)	2.0
2018	\$0	0.0
2019	\$0	0.0
2020	\$0	0.0

Fiscal Analysis

The bill would amend the code of Criminal Procedure by creating the Timothy Cole Exoneration Review Commission. The bill would establish guidelines, requirements, duties, and responsibilities for the commission which would be composed of eleven members as required by the bill. The bill would authorize the commission to receive advice and guidance from an advisory

panel and would specify members of the panel.

The bill would administratively attach the commission to the Office of Court Administration (OCA). Under the provisions of the bill, the commission would be required to conduct a public hearing at least once annually in Austin and may hold meetings at times determined by the commission with the requirement that the first meeting be on or before October 31, 2015. The bill would authorize the commission to be reimbursed for travel expenses under Chapter 660 of the Government Code if appropriations are provided in the General Appropriations Act.

The bill would require the commission to submit a detailed report to the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Legislature, and to the Texas Judicial Council not later than December 1, 2016. The bill would dissolve the commission on the earlier of either the date the commission submits its report, or December 1, 2016.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2015.

Methodology

Based on information provided by OCA, a researcher at \$66,660 with benefits of \$21,549 and a data analyst at \$55,992 with benefits of \$18,130, or \$162,331 each year, would be necessary to write reports, coordinate meetings, analyst data and provide other resources and support with operating expenses of \$1,190 in fiscal year 2016 and \$298 in fiscal year 2017. It is assumed that seven of the eleven commission members would travel for commission meetings for four quarterly commission meetings lasting one day each at a cost of \$271 per person per meeting, or \$7,588 each year.

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, AG, MW, GDz, SD, KJo