

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 27, 2015

TO: Honorable Susan Lewis King, Chair, House Committee on Defense & Veterans' Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1048 by Farias (Relating to the redesignation of veterans court programs as veterans treatment court programs, the administration of those programs, the expunction of arrest records and files for certain participants who successfully complete a program, and the issuance of orders of nondisclosure for participants convicted of a misdemeanor; changing a fee.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to expand program eligibility to defendants who had suffered sexual trauma during military service and would remove eligibility requirements that a veteran's injury, illness, or disorder resulted from service in a combat zone or other hazardous area. The bill would provide the court more discretion to order participation in a veterans court program and would reduce the not-to-exceed amount for the participation fee from \$1,000 to \$500. Additionally, the bill would provide for the automatic expunction of all records and files related to the arrest of a person that completes a veterans court program and requires the court to enter an order of nondisclosure under certain circumstances for individuals who successfully complete a veterans treatment court program. The bill would expand program eligibility to individuals convicted of or placed on deferred adjudication for any misdemeanor or felony offense and authorizes a participant to utilize videoconferencing software or other internet-based communications to fulfill treatment or other court obligations. Finally, the bill would authorize cases for participants in veterans treatment courts to be transferred to a county where the defendant resides or works with the consent of both veterans treatment courts and the defendant.

Based on the analysis of the Office of Court Administration and the Veterans Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

The bill would expand the availability for participation in a veterans court program and would reduce the fee for participation from not to exceed \$1,000 to not to exceed \$500. There may be a revenue loss to local governments; however, the fiscal impact would vary depending on the number of participants in the program.

According to Harris County, reducing program fees may result in a reduction of treatment, support, and/or supervision within the program.

Travis County reported that there would be no fiscal impact to the county because the program does not currently assess a fee.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 403 Veterans Commission

LBB Staff: UP, GDz, FR, KVe