

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 14, 2015

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1293 by Alvarado (relating to the confidentiality of identifying information of victims of stalking; creating a criminal offense.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to require the Attorney General to develop and distribute a form to record certain information and a pseudonym of a victim who is subject of certain offenses. The victim would be required to complete the form and submit the form to the applicable law enforcement agency. Upon submission of the form, a law enforcement agency would be required to replace the victim's name with a pseudonym name in records and files. The law enforcement agency must also notify the prosecuting attorney and provide a copy of the completed form to the victim. Under the provision of the bill, a court could order the disclosure of the victim's confidential information if the information is essential in the trial, the identity of the victim is in issue, or the disclosure is in the best interest of the victim. Under certain circumstances, a victim may be required to disclose the form to a tenant.

The bill would create a Class C misdemeanor if a public servant knowingly discloses confidential information about the victim to any person not assisting in the investigation or prosecution.

The Office of Court Administration reported no significant impact to the state court system is anticipated.

The Office of the Attorney General anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

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

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact. In addition to the fine, punishment can include up to 180 days of deferred disposition.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 405 Department of Public Safety, 407 Commission

on Law Enforcement, 644 Juvenile Justice Department

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