

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 13, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2653 by Moody (Relating to protective orders for certain victims of sexual assault or abuse, stalking, or trafficking.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to add victims of the offense of Continuous Trafficking of Persons to the list of persons who may file for a protective order without regard to the relationship between the applicant and the alleged offender. The bill also provides several rights within the criminal justice system to victims of human trafficking and/or sexual-related offenses, or their parents or guardians, including the right to have the State's attorney file an application for a protective order on behalf of the victim and the right for the victim to be informed about the opportunity to file a protective order either by the victim, their parent or guardian, or the State's attorney and information on the court in which the application may be filed.

The bill also provides that information on the opportunity to file a protective order be provided by the court when the defendant is placed on deferred adjudication and requires the court to file an application for a protective order immediately following conviction or placement of the defendant on deferred adjudication. If the victim, parent, or guardian is not present at the time of the conviction or placement on deferred adjudication, the bill requires the State's attorney to give the victim, parent, or guardian the information regarding the rights to file a protective order.

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

LBB Staff: UP, KJo, MW, GDz