

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 25, 2015

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3184 by McClendon (Relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would allow for the establishment, operation and funding of pretrial victim-offender mediation programs. The bill would permit a commissioners court or a governing body of a municipality in coordination with the attorney representing the state to adopt administrative and local rules necessary to implement or operate the program. The pretrial victim-offender mediation program would be established by the commissioners court of a county or governing body of a municipality and made available to persons who have been arrested for or charged with a misdemeanor under Penal Code, Title 7, and have not been previously convicted of a felony or a misdemeanor other than a misdemeanor traffic violation punishable by fine only. Under the provisions of the bill, a court that established a mediation program before September 1, 2015 would be permitted to elect to apply certain provisions in implementing the program.

Local Government Impact

The bill would require collection of a program participation fee not to exceed \$500 from defendants in the program. The \$500 program fee is designated to cover many of the costs of the program. The bill would also require payment of \$15 in court costs by defendants who successfully complete the program.

There could be costs to a local entity that chose to establish a victim-offender mediation program; including additional staff, training costs and technical support. However, it is assumed that a local entity would establish a victim-offender mediation program only if sufficient funds were available or it would not result in a negative fiscal impact; therefore, no significant fiscal impact is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 304 Comptroller of Public Accounts

LBB Staff: UP, EK, KJo, SD, ESi, KKR, TB