

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 20, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3578 by Alonzo (Relating to the date on which certain criminal defendants are eligible to file a petition for an order of nondisclosure.), **As Introduced**

The bill would have a positive, but indeterminate, fiscal implication to the state for the 2016-17 biennium due to anticipated increases in civil filing fee revenue that would be realized from more persons being eligible to file a petition for nondisclosure. It is estimated that the number of petitions of nondisclosure being filed would return to current levels or less in following years.

The bill would amend the Code of Criminal Procedure to reduce the waiting time for persons successfully completing deferred adjudication community supervision to file a petition for an order of nondisclosure. The bill would decrease the waiting time to file a petition for nondisclosure for certain misdemeanors from two years to one years and for felonies from five years to three years.

The Office of Court Administration (OCA) anticipates that the decrease in waiting time under the provisions of the bill would result in a greater, but indeterminate, number of petitions for nondisclosure being filed during the 2016-17 biennium. This would result in an indeterminate increase in filing fee revenue realized by the State. However, OCA also estimates that the number of petitions being filed would drop back to current levels or even decrease in the following years. Therefore, OCA does not anticipate a significant fiscal impact to the state court system over a five-year period.

Local Government Impact

OCA anticipates that a decrease in waiting time for persons successfully completing deferred adjudication community supervision to file a petition for an order of nondisclosure would result in an initial increase in civil filing fee revenue to counties in an indeterminate amount. However, OCA also estimates that the number of petitions being filed would drop back to current levels or even decrease in the following years. Therefore, OCA does not anticipate a significant fiscal impact to counties over a five-year period.

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

LBB Staff: UP, KJo, MW, GDz