

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 16, 2015**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB95** by Hinojosa (Relating to the state's burden of proof in certain criminal asset forfeiture proceedings.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure and the Parks and Wildlife Code regarding the state's burden of proof in criminal asset forfeiture proceedings and seized property related to illegal hunting or fishing activities. The state would have to prove by clear and convincing evidence (rather than a preponderance) that the property is subject to forfeiture. The Office of Court Administration indicates that bill provisions would not have a significant fiscal implication to the court system.

**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, TB