

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

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

**May 8, 2015**

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

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

**IN RE: SB416** by West (relating to criminal history record information that is subject to an order of nondisclosure and prohibiting a person's waiver of a right to an expunction or to an order of nondisclosure with respect to 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 relating to criminal history information subject to an order of nondisclosure and to prohibit a person's waiver of a right to an expunction of arrest records related to a criminal offense. The bill would also amend the Government Code, to prohibit a person's waiver of a right to an order of nondisclosure of criminal history information which is maintained by the Department of Public Safety (DPS). The bill would provide an exception if the waiver is requested as a condition of the person's participation in a pretrial diversion program.

The Office of Court Administration indicates that implementing bill provisions are not anticipated to have a significant fiscal implication for the court system. In this analysis DPS' ongoing maintenance of criminal history information is not anticipated to have a fiscal implication for the agency.

**Local Government Impact**

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

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

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