

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 13, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB72 by Keough (Relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure allowing 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.

The bill would take effect September 1, 2017.

Local Government Impact

According to the Office of Court Administration (OCA), all income derived from the program participation (up to \$500) would be retained locally and is anticipated to cover program costs. The \$15 court cost would also be retained locally to support the program. Additionally, there may be some fiscal impact to local government to the extent that counties would have received additional court costs if the defendants had been assessed regular court costs upon conviction rather than the \$15 fee per person who participates in the mediation program. However, OCA does not anticipate a significant fiscal impact to local government from the provisions of the bill. Additionally, depending on the requirements of the victim-offender mediation programs set by the Juvenile Justice Board, there may be costs associated with the implementation of the program.

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

LBB Staff: UP, KJo, GG, BM, LCO, JGA