

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 25, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB269 by Thompson, Senfronia (Relating to judicial proceedings on a petition to set aside a conviction or an order of expunction of criminal history record information for certain victims of trafficking of persons or compelling prostitution who are convicted of prostitution.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to provide procedures for persons convicted of prostitution to have their conviction set aside and all arrest records expunged if a court finds that the petitioner engaged in prostitution solely as a victim of trafficking of persons and that set-aside is in the best interest of justice. The bill would also allow law enforcement agencies to maintain some of the expunged records if the State can establish that the information would aid in combating human trafficking, however all references to the person would have to be removed from the records. The bill would require the court to appoint an attorney to represent indigent defendants. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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, MW, PBO