

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 25, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB344** by Canales (Relating to the state's burden of proof in certain criminal asset forfeiture proceedings.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Parks and Wildlife Code to require that the state's burden of proof in certain criminal asset forfeiture proceedings be clear and convincing. This would apply when substitute property is seized in lieu of contraband, when property is subject to forfeiture, or with forfeiture of seized property related to illegal hunting or fishing activities. 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, 802 Parks and Wildlife Department

LBB Staff: UP, KJo, PBO, JGA