

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 22, 2017**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Administration

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

**IN RE: HB557** by Collier (Relating to the expunction of arrest records and files for certain persons who are tried for an offense and subsequently acquitted; authorizing a fee.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to authorize an acquitted individual, or an attorney for the state acting with the consent of the acquitted individual, to request an expunction order. The bill would define under what conditions either the attorney for the acquitted individual, or the attorney for the state, shall prepare the order of expunction for the court's signature. It is assumed any costs associated with implementing the provisions of the bill could be absorbed within current resources.

The bill would amend the Code of Criminal Procedure allowing a justice court or a municipal court of record to expunge records and files related to the arrest of a person for an offense punishable by fine only. The bill would require a person seeking an expunction to pay a fee of \$100 for filing an ex parte petition to defray the costs of notifying state agencies of order of expunction.

According to the Office of Court Administration, no significant fiscal impact to the state court system is anticipated.

The bill would take effect September 1, 2017.

**Local Government Impact**

According to Williamson County, no significant fiscal impact is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 405  
Department of Public Safety

**LBB Staff:** UP, KK, KJo, AI, JAW, JGA, WP