

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

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

**April 19, 2017**

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

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

**IN RE:** **HB667** by Canales (relating to prohibiting a person 's waiver of a right to an expunction or to an order of nondisclosure of criminal history record information 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 to prohibit a person's waiver of a right to an expunction of arrest records related to a criminal offense, with the exception of the files and records possessed by the state's attorney. The bill would authorize a state attorney to retain arrest records subject to an expunction order, provided the person signed a waiver authorizing the state attorney to retain such records. 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. It is assumed any costs associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each chamber. Otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

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

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

**LBB Staff:** UP, JAW, KJo, AI