

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 3, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2450** by Koop (relating to a warrant authorizing the search of a cellular telephone or other wireless communications device.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a judge, justice, or any other magistrate in a judicial district and authorized to issue search warrants to issue a warrant for the search of a cellular telephone or other wireless communication device, regardless of if the law enforcement agency seeking the search warrant is in the same judicial district, and would clarify that a peace officer may conduct a limited search of a phone under certain circumstances if the officer reasonably believes the telephone or device has been stolen.

Based on the analysis of the Office of Court Administration and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the resolution could be accomplished by utilizing existing resources.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

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

LBB Staff: UP, KJo, PBO, GDz, JGA