

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

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

**May 11, 2017**

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

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

**IN RE: HB2458** by Price (Relating to the authority of a magistrate to issue a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.), **As Engrossed**

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

The bill would amend the Code of Criminal Procedure to permit a justice of the peace who is not a lawyer to issue a search warrant for the collection of a blood sample from a person arrested for certain intoxication offenses if the justice of the peace serves in a county with a population of 30,000 or fewer and the county's commissioners court provides authorization. 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, JGA, KJo, PBO