

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 30, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3054 by Herrero (Relating to certain sentencing procedures in a capital case.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Code of Criminal Procedure to eliminate a provision prohibiting the court, the prosecutor, the defendant, and defendant's counsel from informing a juror or prospective juror that a jury's failure to agree on answers to certain questions results in a sentence without parole and removing a provision that requires a judge when charging the jury to inform them that they may not answer "no" to questions regarding the defendant's continued threat to society unless 10 or more jurors agree and they may not answer "yes" to questions regarding mitigating circumstances unless 10 or more jurors agree. 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, KJo, GDz