

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

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

**April 2, 2017**

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

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

**IN RE: HB3080** by Rose (Relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.), **As Introduced**

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

The bill would amend the Code of Criminal Procedure to prohibit imposition of the death penalty on a defendant who, at the time of the commission of the capital offense, had a severe illness and would establish procedures for a pre-trial hearing at which the defendant would have the opportunity to prove that he or she had a severe mental illness at the time of the offense. Based on the analysis of the Office of Court Administration and the Texas Department of Criminal Justice, 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, 696  
Department of Criminal Justice

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