

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3165 by Moody (Relating to certain pretrial procedures in criminal cases.), **As Passed 2nd House**

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| <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 modify the information required to be included in statistical reports that are filed by a personal bond pretrial release office. The bill would allow an arrested person to appear before a magistrate by videoconference, and would allow a magistrate to inform the arrested person of his or her rights by videoconference. The bill would allow the person who had appeared via teleconference to obtain a copy of any electronic recording by paying the costs of reproduction. The bill would prohibit a court from charging a cost for the copy if the defendant is indigent. The bill would require a magistrate to release an arrested person on personal bond without sureties or other security on the 11th day after the date the person is committed to jail unless a proper office of the county where the offense is alleged to have been committed demands and takes charge of the person. The bill would require the magistrate to forward the personal bond to the sheriff of the county where the offense is alleged to have been committed or to the court that issued the warrant.

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 bill could be accomplished using existing resources.

Local Government Impact

According to the Office of Court Administration, no significant fiscal impact on local courts is anticipated.

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

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