

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 1, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB271 by Burton (Relating to the issuance of a citation or notice to appear for certain misdemeanors punishable by a fine only.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to peace officers issuing citations rather than requiring appearance before a magistrate for misdemeanors punishable by a fine only. The bill would exclude offenses relating to alcohol consumption by a minor and public intoxication offenses.

The bill would amend the Transportation Code relating to an officer who stops a vehicle of an alleged misdemeanor that is punishable by fine only shall notify the person that the alleged offense is punishable by fine only, and the officer may not arrest a person solely on the basis of that offense. The Texas Commission on Law Enforcement shall by rule adopt language that shall be included in the notification.

The Texas Commission on Law Enforcement would adopt rules required by the changes to the Transportation Code no later than December 1, 2017. The changes to the Transportation Code would take effect January 1, 2018.

Local Government Impact

Savings from the bill would depend on the increased number of cases in which persons are no longer taken before a magistrate. The fiscal implications to units of local government are not anticipated to be significant.

Source Agencies: 405 Department of Public Safety, 407 Commission on Law Enforcement, 458 Alcoholic Beverage Commission

LBB Staff: UP, KJo, GG, BM, FR