

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

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

**March 13, 2017**

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

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

**IN RE: SB326** by Burton (Relating to the authority of a court to return certain fees to a person whose criminal record has been expunged.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure to authorize a court that grants a petition for expunction of a criminal record to order that any fee, or portion of a fee, required to be paid in relation to the petition be returned to the petitioner. Based on the analysis of the Office of Court Administration (OCA), Department of Public Safety, and Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Based on the analysis of OCA, a decrease in revenue is anticipated from reimbursing fees associated with the filing of a petition for expunction. The exact amount of the impact cannot be determined because fees vary from county to county and reimbursement of the fees is discretionary, not mandatory; however, the fiscal impact to the state is not anticipated to be significant.

**Local Government Impact**

Local governments are anticipated to realize a decrease in revenues from reimbursing fees associated with the filing of a petition for expunction; however, a significant fiscal impact is not anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304  
Comptroller of Public Accounts, 405 Department of Public Safety

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