

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 9, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1273 by Rodríguez (Relating to the procedures for an application for a writ of habeas corpus in certain felony cases where the state agrees to relief.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to establish procedures for the adjudication of petitions of a writ of habeas corpus where the state agrees to the habeas relief. The provisions of the bill would apply to felony cases in which the applicant seeks relief from a judgment of conviction that imposes a sentence of confinement that is not suspended and the state stipulates that the applicant is entitled to the requested relief, but would not apply to any case in which the defendant would obtain the desired relief through direct appeal. The bill would also establish procedures for appeal of petition denial and for adjudication of repeated requests for relief. 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