

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 6, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1504 by Taylor, Van (Relating to the eligibility of certain victims of trafficking of persons for an order of nondisclosure.), **As Engrossed**

The bill would have a positive, but indeterminate, fiscal impact to the state due to an anticipated increase in the number of defendants that would petition a court for an order of nondisclosure; however, the total number of defendants that would petition a court for an order of nondisclosure cannot be determined.

The bill would expand the opportunity for victims of trafficking of persons to obtain an order of nondisclosure by increasing the types of offenses that qualify for an order of nondisclosure to include delivery of marihuana, possession of marihuana, theft, criminal trespassing, and promotion of prostitution. A person that files a petition under this section would still be required to pay a filing fee of an amount that varies by county unless the defendant is indigent, but this fee is within the range of \$235 to \$340 for a district court and \$195 to \$307 in a county court.

Based on information provided by the Comptroller of Public Accounts and the Office of Court Administration (OCA), the bill would have a positive, but indeterminate, fiscal impact because it is anticipated that the number of defendants that would be eligible to petition the court for an order of nondisclosure would increase thus increasing state revenue from filing fees; however, the number of defendants that would petition the court for an order of nondisclosure cannot be determined. According to OCA, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

According to the OCA, the number of defendants that would be eligible to petition the court for an order of nondisclosure would increase; however, the number of defendants that would petition the court for an order of nondisclosure cannot be determined. A petition for an order of nondisclosure requires the payment of a filing fee, unless the defendant is indigent. This increase in fee revenue to local governments would offset costs associated with processing the petition and order, if granted. Therefore, OCA anticipates the bill would have a positive, but indeterminate, fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304

Comptroller of Public Accounts

LBB Staff: UP, KJo, MW, GDz, JGA