

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 10, 2019

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB176 by Canales (Relating to prohibiting a person's waiver of a right to an expunction or to an order of nondisclosure of criminal history record information with respect to a criminal offense.), **As Introduced**

<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 prohibit a person's waiver of a right to an expunction of arrest records related to a criminal offense, unless the waiver is limited to records in the state's possession. The bill would also amend the Government Code to prohibit a person's waiver of a right to an order of nondisclosure of criminal history information. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each chamber. Otherwise, the bill would take effect September 1, 2019.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties cannot be determined at this time.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
 Department of Public Safety, 601 Department of Transportation

LBB Staff: WP, LBO, MW, DA, AF, GDz