

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 17, 2019

TO: Honorable James White, Chair, House Committee on Corrections

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

IN RE: HB1076 by White (Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.), **As Introduced**

The bill would have a positive but indeterminate fiscal impact to the State due to the the number of additional petitions for an order of disclosure that would be filed under the provisions of the bill being unknown.

The bill would amend the Government Code to expand the types of cases in which a defendant is eligible to obtain an order of nondisclosure to include persons who have been convicted of certain state jail felonies.

According to the Office of Court Administration (OCA), the state receives approximately \$164.50 for every petition filed. OCA anticipates an increase in the number of state jail felons petitioning the court for an order of disclosure and estimates there would be a positive fiscal impact to the state due to an increase in civil filing fee revenue. However, the fiscal implications cannot be determined because the total number of additional petitions that may be filed under the provisions of the bill is unknown.

This analysis assumes the provisions of the bill would not result in a significant impact on state correctional populations or on the demand for state correctional resources. Additional information is provided in the Criminal Justice Impact Statement.

The bill would take effect September 1, 2019.

Local Government Impact

According to the Office of Court Administration, local governments receive approximately \$80.52 for every petition filed. The total number of additional petitions that may be filed under the provisions of the bill is unknown; therefore, the positive fiscal implications for local governments cannot be determined.

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

LBB Staff: WP, LBO, MW, DA