

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 17, 2019

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

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

IN RE: HB1139 by Thompson, Senfronia (relating to the applicability of the death penalty to a capital offense committed by a person with an intellectual disability.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to prohibit the sentencing to death a defendant with an intellectual disability and require that evidence offered by either party for the purpose of determining if a defendant has a intellectual disability must be consistent with prevailing medical standards.

Based on the analysis of the Office of Court Administration, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019, and apply to trials that begin on or after that date.

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: WP, LBO, MW, DA