

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 30, 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: HB1320** by Moody (Relating to the operation of, participation in, and effects of successful completion of a mental health court program.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure to allow a person to have all records and files related to an arrest for a criminal offense expunged under certain conditions and would allow for the waiver fees related to the expunction if the person successfully completes a mental health court program. The bill would require the creation of a mental health court program in counties with a population of more than 200,000 and require those counties to apply for federal and state funds to pay for the program.

The Office of Court Administration does not anticipate a significant fiscal impact from the waiver of fees or the creation of mental health court programs due to the limited number of participants in mental health court programs and the mandate for the creation of mental health court programs applies only if state or federal funds are made available for this purpose.

Based on the analysis of the Comptroller of Public Accounts and the Department of Public Safety, 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.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**        212 Office of Court Administration, Texas Judicial Council, 304  
   Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** WP, LBO, DA, SMi, AF, LCO