

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 8, 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: **HB3453** by Clardy (Relating to subpoenas, orders, and warrants for the disclosure of location information, electronic customer communications records, and electronic customer data and for the use of pen registers, ESN readers, cell site simulators, and mobile tracking devices; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to establish guidelines for the use of cell site simulators by law enforcement and create a state jail felony offense for use of a cell site simulator without authorization.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies. Additional information is provided in the Criminal Justice Impact Statement.

Based on the analysis of the Office of Court Administration, the Department of Public Safety, and Texas Department of Criminal Justice, 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

According to OCA, any new case volume driven by the new criminal offense created by the bill should be absorbed by current court resources. No significant fiscal impact to the state court system is anticipated.

The Texas Association of Counties does not anticipate a significant fiscal implication to counties.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
 Department of Public Safety, 696 Department of Criminal Justice

LBB Staff: WP, LBO, MW, DA, DGi, SMi, AF