

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 18, 2019

TO: Honorable Poncho Nevárez, Chair, House Committee on Homeland Security & Public Safety

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

IN RE: **HB3540** by Burns (relating to the authority of a peace officer to release in lieu of arrest certain persons with an intellectual or developmental disability.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill adds Article 14.035 to Code of Criminal Procedure Chapter 14, which relates to arrest without a warrant. The new article applies only to a person with an intellectual or developmental disability who resides at a certain care facility.

According to the Texas Commission on Law Enforcement and Office of Court Administration, no significant fiscal impact is anticipated. Any increase in workload could be absorbed within existing resources.

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.

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, 407
 Commission on Law Enforcement

LBB Staff: WP, LBO, AI, NA, SPa