

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

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

**April 9, 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.), **As Introduced**

**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