

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

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

**April 23, 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:** SB1492 by Whitmire (Relating to grand jury proceedings.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure concerning the presence of attorneys of for witnesses, the accused, or a suspect during grand jury proceeding and requires the recording of all grand jury proceedings other than deliberations of the grand jury. The bill would also prohibit a person from being investigated a second time on the same charge by a grand jury if there is no new evidence and would require the prosecutor to present all exculpatory evidence to the grand jury.

Based on the analysis of the Office of Court Administration (OCA), duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

According to OCA, local courts may have to appoint an attorney to an indigent person under investigation by the grand jury, if that person appears before the grand jury for questioning on the matter. OCA does not anticipate a significant revenue loss from attorney fees, as grand juries do not typically question individuals under investigation.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, LBO, GDz