

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 15, 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: **SB1649** by Kolkhorst (Relating to assistance with the establishment and oversight of public defenders' offices and a review of criminal defense attorney's fees by the Texas Indigent Defense Commission.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to direct the Texas Indigent Defense Commission (TIDC) to offer assistance to counties with populations of less than 50,000 to establish public defenders' offices. The bill would require TIDC to only offer assistance to counties with populations of 50,000 or greater if there is an existing effort to establish an office in such a county and if public defenders' offices exist in all counties with populations less than 50,000.

The bill would require TIDC to establish policies and procedures for the operation and administration of a public defender's office and would require TIDC to submit a report to the Governor and Legislature by November 1 of each even-numbered year that includes a plan and timeline for establishing public defenders' offices in counties with populations under 50,000 and the number of such offices established with TIDC's assistance under the bill. The bill would also require TIDC to conduct an annual review of criminal defense attorney's fees in the state to ensure they are charging equitable, consistent, and fair rates across the state.

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

Local Government Impact

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

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

LBB Staff: WP, LBO, GDz