

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

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

**May 6, 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:** **SB2093** by Hughes (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.), **Committee Report 1st House, Substituted**

**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 creates a state jail felony offense for use of a cell site simulator without authorization. The bill would establish reporting requirements by law enforcement officers and agencies for warrants applied for under the provisions of the bill.

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, GDz, LM, DA, DGi, SMi, AF