

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB679 by Gervin-Hawkins (Relating to policies and standards for providing legal representation to indigent defendants in certain capital felony cases.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to create a statewide capital defense training and standards committee consisting of two judges and seven attorneys with significant capital defense or indigent defense policy experience. The committee would be required to set certain qualification standards for attorneys to be appointed in capital cases. The committee would receive administrative support from the Texas Indigent Defense Commission (TIDC), which would also be required to pay for actual and necessary expenses of the committee members to serve on the committee.

The bill would also require TIDC to post the policies and standards adopted by the statewide capital defense training and standards committee on its website. The bill would also require attorneys on the capital qualified list to annually submit to the local selection committee a list of death penalty cases in which they provided representation and proof that they have met the training and other standards established by the statewide capital defense training and standards committee.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

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

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, BH