

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 7, 2021

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB743 by Collier (Relating to a maximum allowable caseload for certain attorneys.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require the Texas Indigent Defense Commission (TIDC) to establish a maximum allowable caseload for a criminal defense attorney that would allow the attorney to give each criminal defendant the time and effort necessary to ensure effective and diligent representation.

The bill would amend the Code of Criminal Procedure to require the indigent defense plans established by judges to include procedures to ensure that an appointment in a criminal case does not result in the attorney receiving the appointment to have a caseload larger than the maximum allowable caseload established by TIDC.

Based on the analysis of the Office of Court Administration (OCA), it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources. In addition, OCA also anticipates no significant fiscal impact to the state court system due to implementing the provisions of the bill.

The bill would take effect September 1, 2021. Under the provisions of the bill, criminal cases with an indictment or information filed before November 1, 2021, would be governed by the law in effect immediately before the effective date of the bill.

Local Government Impact

According to the Texas Association of Counties, there may be a fiscal impact to counties depending on the maximum case load established by the Commission. However, the extent of the impact cannot be determined at this time.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKn, MW, BH