

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 21, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB842 by Moody (Relating to the disclosure in a criminal case of certain criminal history record information.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Government Code to provide that if the attorney representing the State timely discloses to the attorney representing the defendant original-format criminal history record information, then certain requirements related to the introduction of certain evidence are satisfied. The bill would clarify that this provision does not apply when used for the purpose of enhancing the punishment of an offense.

The bill would allow the attorney representing the State in a criminal case to disclose to the defendant or the defendant's attorney the criminal history record of the defendant or a potential witness. The bill would require the attorney representing the State to provide with the disclosure a copy of Section 411.085 of the Government Code that provides criminal penalties for the unauthorized obtaining, use, or disclosure of criminal history record information.

Based on the analysis of the Office of Court Administration and Department of Public Safety, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing available resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Local Government Impact

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

Source Agencies: 212 Office of Court Admin, 405 Department of Public Safety

LBB Staff: JMc, DKN, MW, BH