

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 17, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB978 by Metcalf (Relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances and payment by the Texas Department of Criminal Justice of certain amounts owed by an inmate.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 493 of the Government Code to require the Texas Department of Criminal Justice (TDCJ) to file a claim for unclaimed property on behalf of a victim of a criminal offense if the reported owner of the unclaimed property was finally convicted. The bill would amend Section 74.501 of the Property Code, regarding unclaimed property and claims filed with the Comptroller of Public Accounts, to authorize the Comptroller's office to release a reported owners unclaimed property to the owner's crime victim.

The bill would amend Article 42.037 of the Code of Criminal Procedure to require a county to accept a restitution payment received from TDCJ and forward the payment to the crime victim or other person eligible for restitution under Article 42.037, including the Compensation to Victims of Crime Account. The county would return to TDCJ any excess above the amount owed to the victim.

Based on the analysis of the Comptroller, the bill could result in an increase in approved unclaimed property claims as well as an increase in deposits to the Compensation to Victims of Crime Account 469; however, the amount of the increases is indeterminate. It is assumed that any costs associated with the bill's provisions could be absorbed using existing resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 696 Department of Criminal Justice

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