

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2436 by Davis (Relating to the establishment of a community pretrial review panel by each county for the resolution and diversion of certain misdemeanor cases out of the criminal justice system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, the Government Code, and the Local Government Code to require the establishment of a community pretrial review panel by counties for the resolution and diversion of certain misdemeanor cases.

According to the Office of Court Administration, no significant fiscal impact to the State court system is anticipated.

The Department of Public Safety (DPS) anticipates an indeterminate revenue increase due to fees paid to DPS by the community pretrial review panels for criminal history record information.

Local Government Impact

According to the Justices of the Peace and Constables Association of Texas, a significant, indeterminate fiscal impact is anticipated, as the bill would move cases from justice and municipal courts to prosecutors for adjudication, resulting in a significant workload increase for prosecutors.

According to Hays County, a significant fiscal impact to the county is anticipated, as a result of the following: duplicate discovery to be provided to the community pretrial review panel and defense attorneys; an increase in jail costs due to inmates remaining in jail until a panel hearing rather than being released for time served; and the attendance of prosecutors and defense attorneys at panel hearings.

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

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