

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 20, 2021

TO: Honorable James White, Chair, House Committee on Homeland Security & Public Safety

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2901 by Rodriguez (Relating to reporting requirements for certain in-custody deaths; providing a civil penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to the general duties of officers. The bill would make a person liable for a civil penalty for failure to file a report related to a death in custody. Civil penalty collections from such offenses would be deposited to GR-D 0469 Compensation to Victims of Crime.

The bill would amend the Penal code as it relates to the offense of failure to report the death of a prisoner by modifying the conditions that constitute an offense.

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

According to the Office of the Attorney General and the Department of Public Safety, no fiscal impact is anticipated.

According to the Comptroller's Office, the fiscal impact on revenue cannot be estimated.

This analysis assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

Local Government Impact

According to the Sheriff's Association of Texas, no significant fiscal impact on County Sheriff's Offices is anticipated because Sheriff's report such incidences on a timely basis. The Justices of the Peace and Constables Association of Texas state that no significant fiscal impact on justice courts is anticipated.

Fannin County does not anticipate a fiscal impact on their county because all reports of in-custody deaths are filed on time. No significant fiscal impact to other units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 405 Department of Public Safety

LBB Staff: JMc, DKN, LCO, HGR, AF