

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 12, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1544 by West (Relating to no-knock warrants.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to restrict the issuance of no-knock warrants. Under the provisions of the bill, only a district court could issue a no-knock arrest or search warrant. The bill would require an applicant for a no-knock warrant to have personal knowledge of the facts supporting the necessity of a no-knock warrant and the approval of his or her supervisor. If the warrant is approved, the bill would require each officer executing the warrant to be equipped with a body worn camera, to activate the camera before executing the warrant, and to keep the camera activated until execution of the warrant is completed. The restrictions imposed by the bill would not apply if the accused is alleged to have committed or the property to be seized is alleged to be related to the commission of a felony offense causing or attempting to cause serious bodily injury or an offense under Section 20.04 (Aggravated Kidnapping), 22.02 (Aggravated Assault), 22.021 (Aggravated Sexual Assault), or 29.03 (Aggravated Robbery) of the Penal Code.

Based on the analysis of the Office of Court Administration, the Department of Public Safety, and the Commission on Law Enforcement, 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, 407 Law Enforcement

LBB Staff: JMc, DKN, BH