

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 24, 2023

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2193 by Davis (Relating to the automatic expunction of all records and files related to arrests for certain misdemeanor offenses.), **As Introduced**

The fiscal implications of the bill cannot be determined because the timing and number of orders for expunction resulting from provisions of the bill is unknown.

The bill would provide for the automatic expunction of records related to a person's arrest for certain misdemeanors. The bill would provide the same rights and privileges afforded to persons requesting expunction under the Code of Criminal Procedure, including restricting a private entity from disseminating the expunged information. The bill would impose a 10-year waiting period for the expunction and require a court to issue an expunction no later than 30 days after expiration of the waiting period. The bill would also waive all fees and costs associated with the expunction.

Based on information provided by the Comptroller of Public Accounts, the changes provided by the bill regarding expunction and disclosure could result in reduced fee revenue in amounts that cannot be determined, but would not be expected to be significant.

Based on the analysis of the Office of Court Administration, the fiscal impact to the state court system cannot be determined due to the unknown number of eligible persons who have committed misdemeanor offenses before, on, or after the effective date of this bill and the timing of the orders.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JMc, DDel, MW, JPa