

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 10, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3247 by Cain (Relating to creating the criminal offense of prosecutorial misconduct.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would create a second degree felony offense for certain acts of prosecutorial misconduct involving destroying, withholding, or failing to disclose certain information or evidence that was a substantial contributing factor to a wrongful conviction or intentionally obstructing the exoneration of a wrongfully convicted defendant. It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant. While it is assumed that any state revenue impact would not be significant, it would be dependent on the number of offenses committed and the associated court costs.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JMc, DDeI, LBO, QH