

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 23, 2023

TO: Honorable Abel Herrero, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4362 by Johnson, Ann (Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.), **As Introduced**

The fiscal implications of the bill cannot be determined because the number of petitions that would not be filed by people with multiple offenses or convictions and the amount of revenues that would not be collected is unknown.

The bill would reduce the waiting period for certain orders of nondisclosure, authorize an order of nondisclosure for certain state jail felonies, and allow courts to consolidate all offenses arising out of one transaction into a single order of nondisclosure. The bill would also establish a procedure whereby a person may petition a court in which an order of nondisclosure occurred, regardless of where the conviction occurred.

Based on analysis provided by the the Comptroller of Public Accounts and the Office of Court Administration (OCA), the bill would result in an unknown reduction in filing fee revenue due to a decrease in the number of petitions filed by people with multiple offenses or convictions. According to OCA, the decrease in filings could increase efficiencies for state courts by reducing workloads. However, the fiscal impact to court cost revenues and filing fees and any savings to the state court system cannot be determined because the number of petitions that would not be filed by people with multiple offenses or convictions and the amount of revenues that would not be collected is unknown.

Local Government Impact

The fiscal implications of the bill cannot be determined because the amount of revenue that would not be collected from reduced filing fees and the workload impacts for local courts resulting from the number of petitions petitions that would not be filed by people with multiple offenses or convictions is unknown.

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

LBB Staff: JMc, DDel, MW, JPa