

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 28, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2328 by Orr (Relating to the procedures for the expunction of arrest records and files; authorizing a fee.), **As Introduced**

The fiscal implications of the bill cannot be determined due to a lack of available case-level data.
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The bill would amend the Code of Criminal Procedure to adjust fee collections and procedures for certain expunctions.

The bill would require court clerks to charge a new \$25 fee for each official, agency, or other governmental entity that is listed in a petition for expungement and that is unable to receive electronic transmission of the expungement record. The bill would also repeal certain expungement fees, including fees charged for filing an ex parte petition in a civil action in a district court, a \$1 fee for mailing a notice of hearing date, and a \$2 fee for mailing certified copies of an order of expunction.

According to information provided by the Office of Court Administration, any changes in revenue to the state can not be determined due to an unknown number of petitions and orders filed pursuant to the provisions of the bill.

Local Government Impact

According to the Comptroller of Public Accounts, the \$25 fee would be a new source of revenue for local entities, but the fiscal implications of the bill cannot be determined due to the number of petitions and orders filed under the provisions of the bill being unknown.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety

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