

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 29, 2011**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB220** by Gallego (Relating to procedures for applications for writs of habeas corpus based on relevant scientific evidence.), **Committee Report 1st House, As Amended**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure to allow a court to grant relief to a convicted person on an application for a writ of habeas corpus in cases in which relevant scientific evidence that was not available at trial (or at the time of an initial application for a writ of habeas corpus) is discovered, is admissible, and the court finds that had the scientific evidence been presented at trial, it is reasonably probable that the person would not have been convicted. To the extent the bill would amend court procedures and result in an increase in the number of applications for writs of habeas corpus that are filed, the increase in the court workloads statewide is not anticipated to be significant. The bill would take effect September 1, 2011.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JOB, ESi, TB