

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

February 21, 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.), **As Introduced**

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