

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 13, 2011

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: HB2889 by Madden (Relating to the expunction of records and files relating to a person's arrest.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would add a provision in Article 55.01, Code of Criminal Procedure to allow for an expunction of an individual's arrest if the prosecutor declines to go forward with the case and, after receiving notice of the petition for expunction, does not object. The bill would make expunctions available to a broader group; however, based on the language of the bill, the petition cannot go forward unless it is uncontested. According to the Office of Court Administration, uncontested hearings should not tax court dockets or resources.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 697 Board of Pardons and Paroles

LBB Staff: JOB, ESi, GG, YD