

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 11, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB184 by Dale (Relating to the allocation of costs and attorney's fees incurred by a Court of Inquiry.), **As Engrossed**

Depending upon the number of Courts of Inquiry conducted by counties, there could be an indeterminate but likely insignificant negative fiscal impact to the state.

The bill would amend the Code of Criminal Procedure to shift responsibilities from the county to the state for attorney's fees associated with a Court of Inquiry where the subject is a person that committed an alleged offense as an officer of or employed by the state.

According to the Office of Court Administration, courts of inquiry are rare proceedings with varying costs from case to case. Information on how many of these cases the State would be required to pay is unknown, therefore the cost for this bill cannot be determined.

The bill would take effective September 1, 2015 and would only apply to a Court of Inquiry commenced on or after the bill's effective date.

Local Government Impact

Despite their rarity, given that the bill would shift costs for Courts of Inquiry to the State, there could be an indeterminate positive fiscal impact to counties.

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

LBB Staff: UP, AG, MW, GDz, KVe