

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 9, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3237** by Moody (Relating to the return of executed search warrants and the public availability of search warrant affidavits.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to the filing of an affidavit setting forth probable cause when a search warrant is requested. The bill would state that such an affidavit becomes public information when the search warrant at issue is executed, unless disclosure is otherwise restricted by law. The bill would require the officer to return the search warrant within a certain time frame, but would not allow failure to timely return the warrant to be used to bar the admission of evidence obtained pursuant to the warrant. Based on the analysis of the Office of Court Administration and the Department of Public Safety, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing 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

LBB Staff: UP, KJo, PBO, JGA