

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 20, 2005**

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

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

**IN RE: SB1195** by Hinojosa (Relating to the authority of peace officers to conduct certain searches.),  
**Committee Report 1st House, Substituted**

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

The bill would amend the Code of Criminal Procedure as it relates to the authority of peace officers to conduct certain searches.

The bill would amend the Code of Criminal Procedure to prohibit, unless the peace officer has probable cause or another legal basis, or written consent of the operator of the vehicle, requesting consent to search a motor vehicle during a stop for an alleged violation of law or ordinance regulating traffic safety. This section of the bill would take effect January 1, 2006.

The bill also provides guidelines for forms indicating consent to vehicle search.

The bill would take effect September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, VDS, SJ, KJG