

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 12, 2007**

**TO:** Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB2391** by Madden (Relating to the appearance of certain misdemeanor offenders before a magistrate. ), **Committee Report 1st House, Substituted**

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

The bill would amend the Code of Criminal Procedure to authorize a peace officer charging a person with certain Class A or B misdemeanors, to issue a citation containing notice of the time and place the person must appear before a magistrate rather than taking the person before a magistrate at the time the person is being charged if the person resides in the county where the offense occurred. If the person fails to appear, the magistrate would be required to issue a warrant for the person's arrest.

Provisions of the bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2007.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated as a result of the proposed changes in procedures.

**Source Agencies:**

**LBB Staff:** JOB, ES, DB