

HANDOUT 3

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB344 by Whitmire (relating to the procedure for an application for a writ of habeas corpus based on relevant scientific evidence.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to add a new Article 11.073 to allow a court to grant relief to a convicted person on an application for a writ of habeas corpus in cases in which relevant scientific evidence that was not available at trial (or at the time of an initial application for a writ of habeas corpus) is discovered, is admissible, and the court finds that had the scientific evidence been presented at trial, upon a preponderance of the evidence the person would not have been convicted. To the extent the bill would amend court procedures and result in an increase in the number of filed applications for habeas corpus writs, the increase in court workloads statewide is not anticipated to be significant. The bill would take effect September 1, 2013, and applies only to applications for writs of habeas corpus filed on or after that date.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

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