

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 14, 2005

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB27 by Callegari (Relating to the penalties for intoxication assault and intoxication manslaughter and to the sentencing of defendants convicted of those offenses.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to allow for the possibility for intoxication assault offenses to be served as consecutive sentences. The bill would also enhance the punishment for the offense of intoxication assault from a felony of the third degree to a felony of the second degree if the person causes serious bodily injury to a public servant while the public servant was in the discharge of an official duty. Punishment for the offense of intoxication manslaughter would also be enhanced from a felony of the second degree to a felony of the first degree if the person caused the death of a public servant while the public servant was in the discharge of an official duty.

The impact of the bill would depend on the number of persons caught and convicted of the offense; however, in the case of this bill, the increased workload and demand for resources would probably not be substantial.

Local Government Impact

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

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

LBB Staff: JOB, GG, BT, KJG