

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 15, 2005

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

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

IN RE: HB51 by Smith, Todd (Relating to the punishment prescribed for and conditions of community supervision imposed on certain persons who commit intoxication offenses.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by enhancing the punishment prescribed for certain intoxication offenses, and would alter the conditions of community supervision for offenders convicted of certain intoxication offenses.

The Office of Court Administration and the Texas Department of Criminal Justice state that the bill would have no significant fiscal impact on the State.

Local Government Impact

Costs to local governmental entities to implement the bill would depend on the number of offenders convicted of certain intoxication offenses. The bill would enhance what are now Class B misdemeanor offenses to Class A misdemeanor offenses for certain intoxication offenses, giving rise to the possibility of longer county jail sentences. Counties would be required to confine people who have been convicted of certain intoxication offenses and placed on community supervision for a set period of time, whereas now no such confinement (or a shorter period of confinement) is required. For example, a person convicted of intoxication assault who is placed on community supervision would have to be continuously confined in the county jail for 120 days, instead of 30 days.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

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