

**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: HB2297** by Cook, Robby (Relating to penalties for repeat and habitual misdemeanor offenders.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code to enhance the penalty of a defendant convicted of a Class A misdemeanor offense who has previously been convicted of a Class B misdemeanor. The bill would take effect September 1, 2005 and would apply only to an offense committed on or after that date.

Under current statute, the penalty for a Class A misdemeanor is enhanced only if the defendant has previously been convicted of another Class A misdemeanor or any degree of felony. An increase in the amount of fines imposed and collected could increase as a result of implementation of the provisions of the bill, as could the number of defendants required to serve a term between 90 days and one year in county jail. These increases are not anticipated to have a significant fiscal impact.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, KJG, DLBa