

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 20, 2005**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

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

**IN RE: SB91** by Hinojosa (Relating to the punishment imposed on certain defendants charged with the offense of assault.), **As Passed 2nd House**

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

The bill would amend the Penal Code by further specifying the conditions for which the offense of assault is punishable as a felony of the third degree. It is assumed that this provision would not result in a significant number of additional convictions punishable as third degree felons. The bill would also amend the Penal Code by adding to the conditions for which the offense of aggravated assault is punishable as a felony of the first degree. The impact from this provision of the bill could be significant beyond five years of passage of the bill but is not anticipated to be significant for the five years of this analysis.

**Local Government Impact**

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

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

**LBB Staff:** JOB, GG, BT, KJG