

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 18, 2005

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

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

IN RE: SB1791 by Whitmire (Relating to the prosecution of the offense of capital murder.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by making it capital murder to murder a judicial officer in retaliation of the service or status of the victim as a judge or justice of the supreme court, the court of criminal appeals, a court of appeals, a district court a criminal court, a constitutional county court, a statutory county court, a justice court, or a municipal court.

Capital murder carries a penalty of death or life in prison.

Under current law and policy, and under the proposed bill, the average time served in prison by persons likely to be affected by the provisions of this bill is greater than five years. Therefore, no additional impacts on demands on the adult corrections agencies are anticipated during the first five years following passage of this bill.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, KJG, GG