

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 27, 2007**

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

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

**IN RE: HB184** by Hochberg (Relating to an exception to consent as a defense to assaultive conduct.), **As Engrossed**

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

The bill would amend the Penal Code, Chapter 22 relating to an exception to consent as a defense to assaultive conduct. The bill would provide that a defense to prosecution under the Chapter is not available to certain defendants if the conduct in question was related to criminal gang activity as defined elsewhere in statute. To the extent the bill modifies exceptions to defenses to prosecution, the fiscal implication to the State is not anticipated to be significant. The bill would take effect September 1, 2007.

**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, ES, ZS, TB