

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

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

**March 26, 2007**

**TO:** Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB502** by Castro (Relating to the minimum term of imprisonment for a first-degree felony offense that is committed because of bias or prejudice.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code to establish a minimum term of imprisonment of 10 years for a felony of the first degree if an offense against a person, arson, criminal mischief, or graffiti is committed because of bias or prejudice. The bill would take effect on September 1, 2007 and apply to offenses committed on or after that date.

Increasing the penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or, longer terms of confinement in county jails or prison. Texas Department of Public Safety data indicate there were 278 reported hate crime offenses in calendar year 2005. Office of Court Administration data indicate one reported case in which a hate crime finding was requested, granted, and affirmed in fiscal year 2006. Therefore, the bill is not expected to result in a significant fiscal impact.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ES, GG, TM