

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 7, 2007

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

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

IN RE: HB1355 by Gattis (Relating to dog attacks on persons; creating an offense.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to dog attacks on persons. Under the provisions of the bill, a dog attack that results in serious bodily injury would be punishable as a felony of the third degree and a dog attack that results in death would be punishable as a felony of the second degree. A dog attack that results in bodily injury would remain punishable as a Class C misdemeanor. The bill would provide defenses to prosecution. The bill would also repeal Section 822.044 (d), Health and Safety Code.

The bill would take effect September 1, 2007 and apply only to an offense committed on or after the effective date.

In fiscal year 2005, one person was placed on misdemeanor community supervision for a dog attack that resulted in serious bodily injury/death. It is assumed the number of persons convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

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, TM, DB, GG, LM