

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 20, 2007

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

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

IN RE: HB1476 by Turner (Relating to the enhancement of punishment in criminal cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend the Penal Code to allow a judge or jury to assess a punishment other than that called for when punishing repeat and habitual felons or misdemeanants. Under the provision of this bill, a judge or jury would be allowed to deviate from the applicable enhanced punishment if the enhanced penalty would result in disproportionate or unfair punishment.

This bill would take effect September 1, 2007 and apply only to the punishment for an offense committed on or after the effective date of this Act. It is assumed that the bill would not significantly affect the operations of state or local government.

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, ES, GG, LM