

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: HB1597 by Rose (Relating to penalties for certain repeat and habitual felony sex offenders.),
As Introduced

No significant fiscal implication to the State is anticipated for the first five years following passage.

The bill would amend the Penal Code by making the offense of indecency with child punishable by imprisonment in the institutional division for life if the defendant has been previously convicted of sexual performance of a child, possession or promotion of child pornography, indecency with a child, sexual assault, aggravated sexual assault, aggravated kidnapping if the defendant committed the offense the intent to violate or abuse the victim sexually, indecency with a child (engaging in sexual contact), burglary with the intent to violate or abuse the victim sexually, and sexual performance of a child.

Given the proposal would apply to offenses committed on or after September 1, 2007 and that under current law and policy, individuals convicted of indecency with child serve a high percentage of their sentence, the impact of this proposal would not be significant in the first five years of implementation. A simulation model indicates that the bill would likely result in the need for an additional 233 prison beds by fiscal year 2025.

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

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