

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 24, 2007

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

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

IN RE: HB2719 by Vaught (Relating to a limitation on judge-ordered community supervision for a defendant convicted of first-degree felony injury to a child.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Code of Criminal Procedure to limit judge-ordered community supervision for offenders convicted of first-degree felony injury to a child. Under the provision of the bill, a judge would no longer be able to place on adjudicated community supervision an offender convicted of first-degree felony injury to a child.

Under the current statute, 0.13 percent of fiscal year 2005 felony community supervision placements (74 offenders) were for first-degree felony injury to a child. At present a judge can place an offender charged with first-degree felony injury to a child on either deferred or adjudicated community supervision. The bill would not restrict a judge's ability to place an offender convicted of first-degree felony injury to a child on deferred adjudication community supervision. The impact of the bill would depend upon the application of the provision. However, it is assumed the bill would not impinge on the operation of state and local government.

The bill would take effect September 1, 2007 and apply only to a defendant charged with an offense committed on or after the effective date of the Act.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, ES, GG, LM, KJG