

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

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

**April 2, 2007**

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

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

**IN RE: SB109** by Deuell (Relating to the punishment of certain assaults committed against employees of primary and secondary schools.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code by making the assault of an employee of a public or private primary or secondary school while the employee is engaged in performing duties within the scope of employment or in retaliation for or on account of the employee's performance of a duty within the scope of employment punishable as a felony of the third degree. Such behavior would currently be punishable as a Class A misdemeanor.

The Texas Youth Commission and the Juvenile Probation Commission anticipate that the bill would result in only a few more children committed to TYC for assault of a school employee. TYC anticipates that it is likely in most cases that the court would utilize community alternatives, particularly for a first offense.

**Local Government Impact**

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

**Source Agencies:** 665 Juvenile Probation Commission, 694 Youth Commission, 696 Department of Criminal Justice

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