

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 3, 2009**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB176** by King, Susan (Relating to the punishment for the offense of aggravated assault.),  
**As Introduced**

The probable impact of implementing the bill cannot be determined due to the unavailability of reliable data or information related to the circumstances involved in the offense of aggravated assault involving the discharge of firearms at or in the direction of a habitation, building, or vehicles, done in a reckless manner and causing serious bodily injury.

The bill would amend the Penal Code to allow aggravated assault to be punishable as a felony of the first degree if the defendant knowingly discharges a firearm at or in the direction of a habitation, building, or vehicle, is done in a reckless manner and causes serious bodily injury to a person. The bill would take effect on September 1, 2009 and apply to offenses committed on or after that date.

A check of Texas Department of Criminal Justice records, Department of Public Safety records, Office of Court Administration records, and Jail Standards Commission records did not reveal any information that would help in an accurate assumption regarding aggravated assault and the occurrence of a defendant knowingly discharging a firearm at or in the direction of a habitation, building, vehicle, or is done in a reckless manner and causes serious bodily injury

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ESi, GG