

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

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

**May 21, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: HB824** by Hochberg (Relating to the imposition of conditions on and access to case records regarding a child adjudicated of having engaged in conduct that constitutes the commission of a hate crime.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require juvenile judges to make an affirmative finding that a child has engaged in conduct that constitutes the commission of a hate crime if the court determines beyond a reasonable doubt that the child intentionally selected the person against whom the offense was committed or intentionally selected the property damaged or affected as a result of the offense because of the child's bias or prejudice against a group identified by race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference, as defined by Article 42.014, Code of Criminal Procedure. The judge could require the child to attend educational programs. Court clerks would be required to report information on any request for such a finding to the Texas Judicial Council. The bill would impose an additional reporting requirement; however, no significant fiscal implication to the State is anticipated.

**Local Government Impact**

The bill would impose an additional reporting requirement; however, no significant fiscal implication to local governmental entities is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 665 Juvenile Probation Commission

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