

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 13, 2009

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

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

IN RE: HB1239 by Pena (Relating to restrictions on the use of the Internet by sex offenders and to the collection and exchange of information regarding those offenders.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to impose restrictions on the use of the internet by certain adult and juvenile registered sex offenders. The bill would authorize the Attorney General to receive from the Department of Public Safety (DPS) all relevant information regarding any offender who is under internet restrictions. Also the bill would require that DPS establish procedures by which a commercial networking site or internet service provider may request all internet communication identifiers belonging to a person listed in the sex offender database. The bill would take effect September 1, 2009. This analysis assumes that implementing the provisions of the bill would not pose a significant fiscal impact to the state.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. The bill would require courts that grant community supervision to a defendant convicted of or granted deferred adjudication for certain sexual offenses to be prohibited from Internet usage. The department, attorney general, and local authorities would be required to establish a uniform procedure for the exchange of information.

Current law requires local law enforcement authorities to notify public and private school administrators of private primary or secondary schools of any information regarding an offender necessary to protect the public; the bill would exclude the person's home, work, or cellular telephone number.

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety, 665 Juvenile Probation Commission, 694 Youth Commission, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, MWU, AI, TP