

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 11, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: HB2187 by Moody (Relating to the prosecution and punishment of offenses involving coercing, inducing, or soliciting membership in a criminal street gang.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to repeal Section 22.015 and move the offense of threatening a child or a member of the child's family with imminent bodily injury or causing bodily injury to a child or a member of the child's family with the intent to coerce, induce, or solicit a child to actively participate in the activities of a criminal street gang to Section 71.022 of the Penal Code renamed Coercing, Inducing, or Soliciting Membership in a Criminal Street Gang. The bill would increase the punishment for threatening a child with imminent bodily injury from a state jail felony to a felony of the third degree. The bill would make a second or subsequent offense of threatening or causing bodily injury punishable as a felony of the second degree.

The bill would take effect on September 1, 2009 and would apply to an offense committed on or after the effective date.

It is assumed the number of persons convicted under this statute would not result in a significant impact on programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, KJG, ESi, GG, TMP