

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB2240 by Lewis (Relating to creating the offense of continuous violence against the family.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by creating the offense of continuous violence against the family (family member, household member, or person with whom the offender is in a dating relationship). The offense would be punishable as a felony of the third degree. The bill would also amend the Penal Code by making the offense of assault punishable as a felony of the third degree if it is shown on the trial of the offense the defendant has been previously convicted of the newly created offense of continuous violence against the family.

It is assumed the number of persons convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies. It is expected individuals who would be affected under the provisions of the bill are currently being sentenced for other, possibly lesser felony, offenses.

The bill would also amend various sections of the Family Code relating to the investigation of child abuse and neglect. The Department of Family and Protective Services reports that most of the provisions are consistent with current casework practice and indicates that the additional step of filing reports with the court regarding utilization of each granted court order would impose additional workload but will not have a significant fiscal impact.

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, LM, TP