

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

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

**May 20, 2009**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**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 Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
---

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.

**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