

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

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

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

IN RE: HB2385 by Castro (Relating to the punishment for the offense of prohibited sexual conduct.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code making prohibited sexual conduct in which the victim and offender were related as defined by Section 25.02 (a) (1), currently punishable as a third degree felony, punishable as a second degree felony. Under the provisions of the bill, prohibited sexual conduct in which the victim and offender were related as defined by Section 25.02 (a) (6), currently punishable as a second degree felony, would be punishable as a third degree felony.

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

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