

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 8, 2009

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

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

IN RE: HB2966 by Coleman (Relating to an offense committed against a person because of bias or prejudice on the basis of gender identity or expression.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to an offense committed against a person because of bias or prejudice on the basis of gender identity or expression. The bill would require the trier of fact in the trial of an offense under Title 5, Penal Code, or Sections 28.02, 28.03, or 28.08, Penal Code, to make an affirmative finding of fact and enter said finding in the judgment of the case, if it is determined beyond a reasonable doubt that the defendant intentionally selected the person or property damaged or affected in the offense because of the defendant's bias or prejudice against a group identified by gender identity or expression. To the extent the bill would modify court procedures relating to a defendant's bias or prejudice, no effect on judicial workloads or fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, ESi, TB