

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 24, 2009**

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

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

**IN RE: HB3680** by Riddle (Relating to creating the offense of contributing to the delinquency of a child. ), **Committee Report 1st House, Substituted**

The probable impact of implementing the provision of this bill cannot be determined due to the unavailability of reliable data or information related to intentionally, knowingly, or recklessly causing or encouraging a child to engage in conduct that would cause the child to be present during the commission of an offense or enter or remain in a place where a controlled substance, controlled substance analogue, drug paraphernalia, or marijuana is used, possessed, manufactured, or distributed or where prostitution occurs.

The bill would amend the Penal Code to create the offense of contributing to delinquency of a child punishable as a felony of the third degree or Class A misdemeanor depending on the circumstances. The bill would take effect on September 1, 2009.

Creating a new offense is expected to result in increased demands upon the correctional resources of counties or of the State. A check of Texas Department of Criminal Justice records, Department of Public Safety records, Office of Court Administration records, and Jail Standards Commission records did not reveal any information that would help in an accurate assumption regarding the number of times a person intentionally, knowingly, or recklessly causes or encourages a child to engage in conduct that would cause the child to be present during the commission of an offense or enter or remain in a place where a controlled substance, controlled substance analogue, drug paraphernalia, or marijuana is used, possessed, manufactured, or distributed or where prostitution occurs; therefore, the probable impact of implementing the bill cannot be determined.

**Local Government Impact**

The probable impact to local government cannot be determined due to the unavailability of reliable data or information related to intentionally, knowingly, or recklessly causing or encouraging a child to engage in conduct that would cause the child to be present during the commission of an offense or enter or remain in a place where a controlled substance, controlled substance analogue, drug paraphernalia, or marijuana is used, possessed, manufactured, or distributed or where prostitution occurs.

**Source Agencies:** 696 Department of Criminal Justice

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