

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

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

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

IN RE: HB3 by Thompson (Relating to the imposition of a sentence of life without parole on certain defendants who commit certain sexual offenses.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the punishment enhancement provisions for life imprisonment without parole, which apply to certain repeat and habitual felony offenders convicted of continuous sexual abuse of a young child; including certain sexual assault and aggravated sexual assault offenses. The bill would amend the Code of Criminal Procedure to include certain sexual assault offenses with enhanced punishment as prescribed by the bill, to the list of offenses not eligible for deferred adjudication. The bill would also amend the Government Code to provide that certain 3g felony sexual assault and aggravated sexual assault offenses with enhanced punishment as prescribed by the bill, are not eligible for release on parole. The bill would take effect September 1, 2011 and apply only to an offense committed on or after the effective date.

Increasing the penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or longer terms of confinement in county jails or prison. For this analysis, it is assumed implementing the provisions of the bill would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources of those agencies for the first five years following passage of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ADM, ESi, GG, LM