

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 18, 2011**

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

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

**IN RE: HB703** by Gutierrez (Relating to enhanced penalties for assault of a health care services provider.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code by adding health care service providers to the list of persons for which assault against is punishable as a third degree felony. The bill would make intentionally, knowingly, or recklessly causing bodily injury to a health care services provider while the person is providing health care services punishable as a felony of the third degree. Under current statute, intentionally, knowingly, or recklessly causing bodily injury is a Class A Misdemeanor and does not have specific provisions related to health care service providers.

The bill would take effect on September 1, 2011 and would apply 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. When an offense is changed from a misdemeanor to a felony, there is a transfer of the burden of confinement and/or supervision of convicted offenders from the counties to the State. It is assumed the number of persons convicted under this statute would not result in a significant impact on programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

**Local Government Impact**

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

**Source Agencies:**

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