

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

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

**April 4, 2011**

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

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

**IN RE: HB867** by Darby (Relating to the eligibility of a person convicted of certain sex offenses for jury-recommended community supervision.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Code of Criminal Procedure as it relates to the eligibility of a person convicted of certain sex offenses for jury-recommended community supervision. Under the provisions of the bill, a person convicted of certain indecency with a child, aggravated sexual assault, and sexual assault where the victim was at least 14 years of age but younger than 17 years of age and the defendant was five or more years older than the victim would now be ineligible for jury-recommended community supervision. The bill would take effect on September 1, 2011 and apply to offenses committed on or after that date.

For this analysis, it is assumed the number of offenders no longer eligible for jury-recommended community supervision would not result in a significant impact on the 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