

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 1, 2011

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

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

IN RE: HB940 by Dukes (Relating to persons subject to prosecution for improper relationship between educator and student.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to expand the conditions for which the improper relationship between educator and student provisions apply, including engaging in sexual contact, sexual intercourse, or deviate sexual intercourse with a person who is enrolled in the same school district, or a participant in certain educational activities. The offense of improper relationship between educator and student is currently punishable as a felony of the second degree. The bill would take effect on September 1, 2011 and apply to offenses committed on or after that date.

Expanding the list of behaviors for which a penalty is applied 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 jail, state jail or prison. However, in the case of this bill, it is assumed the number of offenders convicted under this statute 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, ADM