

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

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

**March 14, 2011**

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

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

**IN RE: HB1389** by Hopson (Relating to the criminal penalties for the owner of a dog that attacks another person.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Health and Safety Code as it relates to the criminal penalties for the owner of a dog that attacks another person. The bill would make the offense of attack by dog punishable as a felony of the first degree if the attack causes death to a person younger than 15 years of age, or 65 years of age or older. The offense of attack by dog is currently punishable as a felony of the second degree if the attack causes death to any person.

The bill would take effect September 1, 2011 and apply only to an offense committed on or after the effective date. According to data provided by the Texas Department of Criminal Justice and the Department of Public Safety, there were less than five persons convicted for the offense of attack by dog in fiscal year 2010. For this analysis, it is assumed the bill 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