

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 28, 2011

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

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

IN RE: HB1471 by Miles (Relating to enhancing the penalty prescribed for certain acts of official oppression.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to enhance the punishment prescribed for official oppression to a felony of the third degree if the actor was a licensed peace officer and caused bodily injury to another, or a felony of the second degree if the actor was a licensed peace officer and caused serious bodily injury. At present, the offense of official oppression is punishable as a Class A Misdemeanor. 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. 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, ADM, ESi, GG