

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

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

**April 18, 2011**

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

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

**IN RE: HB1723** by Lucio III (Relating to the penalties prescribed for a single violation or repeated violations of certain court orders or conditions of bond in a family violence case.), **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 creating the offense of repeated violation of certain court orders or conditions of bond in a family violence case, which would be punishable as a felony of the third degree. The offense would be committed if, during a period that is 12 months or less in duration, the person two or more times engages in conduct that constitutes a violation of certain court orders or conditions of bond in a family violence case. The bill would also amend the Penal Code by providing clarification related to trier of fact, and convictions related to the same criminal offense.

The bill would take effect September 1, 2011 and apply only to an offense committed on or after that date.

For this analysis, it is assumed the number of offenders convicted under these statutes 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**

For offenses elevated from a misdemeanor to a felony, offenders would be housed in state prisons rather than county jails which would provide a savings to counties. Savings would vary by county depending on the number of convictions that would be elevated to a third degree felony in accordance with the bill; however fiscal impact to local governments is not anticipated to be significant.

**Source Agencies:**

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