

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 14, 2011

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

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

IN RE: HB1937 by Simpson (Relating to prosecution and punishment for the offense of official oppression by the intrusive touching of persons seeking access to public buildings and transportation; providing penalties.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code as it relates to the prosecution and punishment for the offense of official oppression by the intrusive touching of persons seeking access to public buildings and transportation. Under the provisions of the bill, certain specified public servants would commit an offense of official oppression if while acting in that capacity, without probable cause to believe the other person committed an offense, perform a search for granting access to a publicly accessible building or form of transportation that intentionally, knowingly, or recklessly involves certain touching. The bill would also provide instructions to the prosecution of a defendant who engages in such behavior while acting under color of federal law.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill, if enacted, would take effect on September 1, 2011.

The Office of the Attorney General indicates any legal work resulting from the passage of the bill could be reasonably absorbed with current resources. For this analysis, it is assumed implementing the provisions of the bill would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources of those agencies.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, ESi, LM, ADM, GG