

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: SB496 by Fraser (Relating to the punishment for the offense of evading arrest or detention.),
As Introduced

<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 punishment for evading arrest or detention. Under the provisions of the bill, evading arrest or detention with a watercraft while the actor is in flight would be punishable as a state jail felony and would be punishable as a third degree felony if the actor has been previously convicted of evading arrest or detention.

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 or increase the penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties and 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 that 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