

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

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

**May 25, 2011**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

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

**IN RE: SB1551** by Rodriguez (Relating to missing children; providing a criminal penalty. ), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Code of Criminal Procedure and the Penal Code related to missing children. The bill would expand the definition of missing child; provide conditions for prosecuting an offense involving a child injured in one county and residing in another; expand the offense of interference with child custody to include taking a child outside of the country with the intent of preventing access to the child to a person entitled to possession or access to the child, under certain circumstances; and provide an affirmative defense to prosecution for the added offense. Under the provisions of the bill, taking or retaining a child younger than 18 years of age outside the United States with the intent to deprive a person entitled to possession of or access to the child without permission, under certain circumstances, would be a state jail felony.

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

For this analysis, 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**

The bill is not expected to have a significant fiscal impact on local government agencies.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, ADM, ESi, JT, GG, JGA