

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83rd LEGISLATURE 2nd CALLED SESSION - 2013

July 3, 2013

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB10 by Canales (Relating to the punishment for a capital felony committed by an individual younger than 18 years of age.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code and Government Code as it relates to the punishment for a capital felony committed by an individual younger than 18 years of age. Under the provisions of the bill, any individual convicted of a capital felony who was 17 years old at the time of the offense shall be punished by a term of imprisonment of life or life without parole. Any individual convicted of a capital felony who was younger than 17 years old at the time of the offense shall be punished by a term of imprisonment of life. Persons convicted under these provisions who are punished with a sentence of life would not be eligible for parole until they had served, without consideration of good conduct time, 30 calendar years in prison.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house. If the bill does not receive the vote necessary for immediate effect, the bill takes effect on the 91st day after the last day of the legislative session. The bill applies to criminal action pending, on appeal, or commenced on or after the effective date of the bill, regardless of whether the criminal action is based on an offense committed before, on, or after that date.

The bill decreases the penalty for certain offenders convicted of capital offenses. Decreasing the penalty for any criminal offense is expected to decrease demands on state correctional agency resources due to shorter terms of state correctional institution confinement. In the case of the bill, it is assumed that the number of offenders incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, ESi, GG, JPo