

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

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

**July 1, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB2 by Huffman (Relating to the punishment for a capital felony committed by an individual younger than 18 years of age.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal 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 or less at the time of the offense shall be punished by life in prison with the possibility of parole.

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