

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 14, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB266 by Miles (Relating to enhancing the penalty prescribed for certain acts of official oppression.), **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 enhancing the penalty prescribed for certain acts of official oppression. Under the provisions of the bill, the punishment for official oppression would be enhanced from a Class A misdemeanor to a third-degree felony when the actor was a licensed police officer who knowingly caused bodily injury to another person.

The bill's provisions increase the penalty for certain official oppression offenses. Increasing the penalty for any criminal offense is expected to increase demands on state and/or county correctional agency resources due to longer terms of community supervision, county jail confinement, state correctional institution confinement, and/or parole. When an offense changes from a misdemeanor to a felony, the burden of confining convicted offenders transfers from the counties to the state. However, in the case of the bill, it is assumed that the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

Local Government Impact

Implementing the bill's provisions could increase the number of offenders remanded to state prisons rather than county jails. This change is expected to reduce demands on county resources. The average cost per day to house an inmate in a county jail varies by county. Savings to local entities would depend on the number of individuals convicted under this section; however, the fiscal impact is not anticipated to be significant.

Source Agencies:

LBB Staff: UP, ESi, GG, JGA