

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 8, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1258 by Zedler (Relating to the punishment for the offense of attempting to evade arrest or detention through the use of a vehicle.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to the conditions of evading arrest with a vehicle specified in the bill.

The bill would amend the Code of Criminal Procedure as it relates to the offense of evading arrest with a vehicle. Under the provisions of the bill individuals sentenced for evading arrest must begin serving their sentence for that offense after completing the sentence for the offense for which they were evading if they evaded arrest in a vehicle while traveling through a residential roadway or neighborhood, a school zone, a construction or maintenance work zone while workers were present, if they went 30 mph or more over the speed limit, or if they recklessly carried a handgun in the vehicle.

In fiscal year 2012 a total of 418 persons were admitted to prison for evading arrest with a vehicle and at least one other offense, but data does not exist to determine how many of them met the conditions specified in the bill. Evading arrest with a vehicle is a third degree felony or a second degree felony, depending upon the circumstances.

Increasing the length of stay for an offense is expected to result in increased demands upon the correctional resources of the state due to longer terms of probation, confinement in a state jail or prison, and parole. The bill may have a negative fiscal impact by increasing the length of stay of persons on felony community supervision or incarcerated within state correctional institutions.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, ESi, GG, JPo