

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1284** by Johnson (Relating to the offense of making or causing a false alarm or report involving a public or private institution of higher education.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 51 of the Education Code by requiring each institution of higher education and private or independent institution of higher education to notify all incoming students, as soon as practicable, of the penalty for the offense under Section 42.06 of the Penal Code, of making a false alarm or report involving a public or private institution of higher education. Not later than October 1, 2013, each institution shall notify all enrolled students of the penalty for the offense of making a false alarm or report. Institutions of higher education would implement provisions of the bill within existing resources.

The bill would amend Section 42.06 of the Penal Code as it relates to the offense of making or causing a false alarm or report involving a public or private institution of higher education. Under the provisions of the bill, the punishment for making or causing a false alarm or report would be enhanced from a Class A misdemeanor to a state jail felony if the false alarm or report involves a public or private institution of higher education. The bill would take effect on September 1, 2013, and applies only to offenses committed on or after that date.

The bill increases the penalty for making or causing a false alarm or report. 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. However, in the case of the bill, it is assumed the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies workload and programs.

Local Government Impact

The bill would elevate the offense from a Class A misdemeanor to a state jail felony if the false report concerns a public or private institution of higher education; as a result local governments may see slightly fewer Class A misdemeanors under the provisions of the bill. Savings to units of local government would vary by the number of applicable cases but are not anticipated to be significant.

Source Agencies: 710 Texas A&M University System Administrative and General Offices,

720 The University of Texas System Administration, 758 Texas State
University System, 768 Texas Tech University System Administration,
769 University of North Texas System Administration, 783 University of
Houston System Administration

LBB Staff: UP, ESI, SK, GO, GG, LM, KKR