

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: HB1302 by Clardy (Relating to the imposition of a sentence of life without parole on certain repeat sex offenders and to certain restrictions on employment for certain sex offenders.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to the imposition of a sentence of life without parole on certain repeat sex offenders and to certain restrictions on employment for sex offenders. Under the provisions of the bill, certain sex offenders with a conviction or adjudication are ineligible for employment with buses and amusement rides. The bill would also require that the Texas Department of Criminal Justice and the Texas Department of Juvenile Justice notify offenders of these restrictions. Additionally, the bill would expand the list of sexually violent offenses subject to a punishment of life without parole. Inmates serving sentences for certain sexually violent offenses who had at least one previous conviction for certain sexually violent offenses are subject to a punishment of life without parole. For offenders at least 17 years old with a victim younger than 14 years old, the bill expands sexually violent offenses to include is indecency with a child; sexual assault; sexual performance by a child; aggravated kidnapping with sexual intent; and certain burglary with sexual intent.

The bill increases the length of incarceration for certain repeat sex offenders. Increasing the length of incarceration for any criminal offense is expected to increase demands on state correctional agency resources. However, 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, JGA