

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 1, 2013

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

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 sex offenders.),
As Introduced

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 buse services and amusement rides. The bill would also require that the Texas Department of Criminal Justice and the Texas Department of Juvenile Justice would notify offenders of these restrictions. Additionally, the bill would require inmates serving a sentence for continuous trafficking of a person or a sexually violent offense who had previously been convicted of any of those offenses would receive a sentence of life without parole. For offenders at least 17 years old with a victim younger than 13 years old, the bill expands offenses subject to this punishment by adding sex trafficking of a child; indecency with a child; sexual assault; sexual performance by a child; aggravated kidnapping with sexual intent; and burglary with intent to commit any of the previously-referenced offenses, indecency with a child, or prohibited sexual conduct. The bill also expands offenses subject to this punishment by adding the offense of continuous trafficking of a person.

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.

The Department of Public Safety and the Texas Department of Criminal Justice indicate that the bill's administrative requirements would not result in a significant fiscal impact for their agencies.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 452 Department of Licensing and Regulation

LBB Staff: UP, ESi, GG, JGA