

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 15, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1437** by Lucio III (Relating to the prosecution of and punishment for the offense of failure to stop or report aggravated sexual assault of a child.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code as it relates to the prosecution of and punishment for the offense of failure to stop or report aggravated sexual assault of a child. Under the provisions of the bill, failure to stop or report aggravated sexual assault of a child would be punishable as a state jail felony. Under current statute, failure to stop or report aggravated sexual assault of a child is punishable as a class A misdemeanor. The bill would also add failure to stop or report aggravated sexual assault of a child to the list of offenses whose statute of limitations is ten years from the victim's 18th birthday.

Enhancing the penalty for any criminal offenses is expected to result in increased demands upon the correctional resources of counties or of the state due to longer terms of probation, or longer terms of confinement in county jail, state jail, or prison. When an offense is changed from a misdemeanor to a felony, there is a transfer of the burden of confinement of convicted offenders from the counties to the State. For this analysis, it is assumed the number of offenders not released under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

**Local Government Impact**

There would be a slight decrease in Class A misdemeanors associated with the bill. Reduced costs associated with enforcement, prosecution, and confinement would not have a significant fiscal impact. Reduced revenue from fines imposed and collected would not be anticipated to be significant.

**Source Agencies:**

**LBB Staff:** UP, ESi, GG, LM, KKR