

**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: HB1606** by Moody (Relating to the prosecution of the offenses of harassment and stalking.), **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 the offenses of harassment and stalking. Under the bill the words annoy, alarm, embarrass, and offend would be removed from the definition of harassment. The bill also removes the specific types of communication forbidden and the specific manner in which someone may be threatened from the definition of this offense. The bill also broadens the definition of stalking by adding repeated conduct that constitutes harassment as well as abused or tormented as possible elements of this offense.

The offense of harassment is punishable by a Class B or A misdemeanor, depending on the circumstances. The offense of stalking is punishable as a third degree felony or a second degree felony, depending upon the circumstances. The bill broadens the definition of harassment and stalking. Broadening the definition of 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 that the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

**Local Government Impact**

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

**Source Agencies:**

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