

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 14, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2579** by Wu (Relating to the prosecution of certain offenses committed against a person in custody.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code as it relates to the offenses of violation of the civil rights of a person in custody and improper sexual activity with a person in custody. The bill adds any place or facility at which a person suspected of a violation of federal immigration law is detained to the definition of a correctional facility in this offense. The offenses of violation of the civil rights of a person in custody and improper sexual activity with a person in custody are punishable as a Class A misdemeanor, a state jail felony, or a second degree felony, depending upon the circumstances.

The bill expands the definition of the offenses of violation of the civil rights of a person in custody and improper sexual activity with a person in custody. Expanding the definition of any criminal offense is expected to increase demands on state and county correctional agency resources due to more individuals serving 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

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

Source Agencies:

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