

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 4, 2013

TO: Honorable Royce West, Chair, Senate Committee On Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB393 by West (Relating to the deferral of prosecution of children accused of certain Class C misdemeanors.), **As Introduced**

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| No significant fiscal implication to the State is anticipated. |
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The bill would amend the Education Code to create “school offenses” which are disorderly conduct that is a Class C misdemeanor committed on property under the control and jurisdiction of a school district as well as disruption of class and disruption of transportation.

A peace officer may not issue a citation to a child who is alleged to have committed a school offense. The bill would amend the Family Code to add Class C misdemeanors other than traffic offenses to the list of offenses which are eligible for disposition without referral to juvenile court and first offender programs.

Class C misdemeanors are generally disposed by Justice of the Peace and Municipal Courts. A Class C misdemeanor is punishable by a fine not to exceed \$500.

The bill could reduce the number of juveniles sent to Justice of the Peace and Municipal Courts for Class C misdemeanors, however since juveniles are usually only transferred from these courts to juvenile courts on the third offense, it is assumed the number of offenders affected under this statute would not significantly impact state correctional agencies’ workload and programs or the demand for their resources and services.

The bill would take effect on September 1, 2013, and only apply to offenses committed on or after that date.

Local Government Impact

Implementing this bill’s provisions could decrease the number of offenders sent to Justice of the Peace and Municipal Courts. This change is expected to reduce demands on county resources. Savings to local entities would depend on the number of individuals affected under this section but are not expected to be significant. Lost revenue from fewer fines imposed and collected is not anticipated to have a significant fiscal impact on local governments.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 644 Texas Juvenile Justice Department,
701 Central Education Agency

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