

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 16, 2013

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB827 by Whitmire (Relating to the fraudulent use of identifying information by certain sex offenders; providing criminal penalties.), **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 fraudulent use of identifying information by certain sex offenders and criminal penalties. Under the provisions of the bill, the punishment for fraud and avoiding sex offender registration is increased to the next highest degree for offenders misrepresenting their identity in order to avoid or attempt to avoid compliance with sex offender registration requirements. Under current law, punishment for failure to comply with sex offender registration requirements ranges from a state jail felony to a second-degree felony; and if the offender has a prior conviction, the punishment is enhanced to the next highest degree. Under current law, punishment for fraudulent use or possession of identifying information ranges from a state jail felony to a first-degree felony; and if the victim is an elderly individual, the punishment is enhanced to the next highest degree.

The bill increases the penalty for certain sex offenders. Increasing the penalty for 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

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

Source Agencies:

LBB Staff: UP, ESi, GG, JGA