

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 6, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB252 by White, James (Relating to the punishment of certain sexual offenses committed in a disaster area or an evacuated area.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to areas which would be impacted by future disasters or evacuations and the number of times the punishment would be enhanced because the offense occurred in these areas.

The bill would amend the Penal Code to add certain offenses to the list of offenses for which the punishment is increased if they are committed in a disaster or evacuated area.

Increasing the penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of supervision in the community or longer terms of confinement in state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people under felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to the unavailability of reliable data or information related to areas which would be impacted by future disasters or evacuations and the unavailability of data related to the frequency with which offenses currently subject to enhancement under existing statute are enhanced.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed with existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, KJo, LM, JPo, KVe