

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 20, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2170** by Murphy (Relating to enhancing the penalties for certain repeat and habitual misdemeanor offenders.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to the exact number of offenses that would be enhanced due to the provisions of the bill.

The bill would amend the Penal Code as it relates to certain repeat and habitual misdemeanor offenders. Under the provisions of the bill, certain misdemeanor offenses would be punishable as a state jail felony if the defendant, within the past 10 years, has been previously convicted of a felony or a certain number of misdemeanor offenses.

Enhancing 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 a lack of statewide data to allow for an assumption about the number of times the enhancement provision would be used.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, KJo, LM