

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 4, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3977** by Dukes (Relating to increasing the penalty for causing injury to a child; changing the eligibility for community supervision.), **Committee Report 1st House, Substituted**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to the age of victims of the offense of injury to a child, elderly individual, or disabled individual.

The bill would amend the Code of Criminal Procedure and Penal Code as they relate to the punishment for the offense of injury to a child, elderly individual, or disabled individual. Offenders convicted of this offense, if the victim was a child and the conduct was committed intentionally or knowingly, would be ineligible for placement on community supervision in lieu of incarceration and would be required to serve at least 10 years in prison.

Prohibiting community supervision and increasing the minimum term of confinement is expected to result in increased demands upon the correctional resources of the state. The bill would have a negative fiscal impact to the state due to additional persons sentenced to incarceration and longer terms of confinement in state correctional institutions. Whether the bill would result in significant costs to the state is indeterminate due to a lack of statewide data related to the age of victims of the offense of injury to a child, elderly individual, or disabled individual.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, KJo, LM, ESi