

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 13, 2017**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB591** by Minjarez (Relating to the punishment for the offense of aggravated assault.),  
**As Engrossed**

**The probable fiscal impact of implementing the bill is indeterminate because offense data collected at the statewide level do not contain information related to the victim's medical outcome. This information is necessary to determine the impact of the bill's enhancement provision.**

The bill would amend the Penal Code as it relates to the offense of aggravated assault. Under the provisions of the bill, certain aggravated assault offenses would be enhanced from a second degree felony to a first degree felony if the victim sustained certain serious bodily injury.

Expanding the list of behaviors for which an enhancement to a criminal penalty is applied is expected to result in increased demands on the correctional resources of counties or of the State due to longer terms of supervision in the community or longer terms of confinement within state correctional institutions. The bill may have a negative fiscal impact by increasing the number of individuals placed under felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to lack of statewide data related to the victim's medical outcome. The Texas Department of Public Safety does not anticipate a significant fiscal impact.

The bill would take effect September 1, 2017 and apply only to an offense committed on or after the effective date of the Act.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** UP, KJo, ZB, LM