

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 16, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1919 by Raymond (Relating to increasing the punishment for an offense committed against a person because of bias or prejudice on the basis of service as a peace officer, a firefighter, or emergency medical services personnel and to the confidentiality of personal information regarding certain persons who provide that service.), **As Introduced**

The probable impact of implementing the bill is indeterminate because data collected at the statewide level do not reveal the number of trial cases involving peace officers, firefighters, or emergency medical services personnel. This information is necessary to determine the impact of the bill's enhancement provision.

Under the provisions of the bill, certain offenses against peace officers, firefighters, or emergency medical services personnel would be enhanced to the next higher offense category if an affirmative finding of bias or prejudice against them is found by a court. Enhancing the penalty for any offense is expected to result in increased demands upon correctional resources of the State due to longer terms of supervision in the community or longer terms of confinement within state correctional institutions. Whether the bill would result in a significant fiscal impact on correctional agencies is indeterminate due to a lack of statewide data containing the detail necessary to isolate those individuals arrested, placed under community supervision, or incarcerated for certain offenses committed against peace officers, firefighters, or emergency medical services personnel under the circumstances in which these offenses would be enhanced. The Office of Court Administration and Texas Department of Public Safety do 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

According to the Texas Association of Counties, the fiscal impact to counties is not anticipated to be significant. A Class A misdemeanor is punishable by a fine of not more than \$4000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
Department of Public Safety

LBB Staff: UP, KJo, LM, JPo, JGA, RFL, ZB