

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 14, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2032 by Gervin-Hawkins (relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.), **Committee Report 1st House, Substituted**

The probable impact of implementing the bill is indeterminate because data collected at the statewide level do not contain offense location, the information necessary to determine the impact of the bill's enhancement provision.

The bill would amend the Penal Code as it relates to certain sexual, assault, and robbery offenses. Under the provisions of the bill, certain sexual, assault, and robbery offenses would be enhanced to the punishment prescribed for the next higher category of offense if the offense was committed in a vehicle operated by a public transportation system.

Increasing the penalty for any offense is expected to result in increased demands upon State correctional resources due to longer terms of supervision in the community, longer terms of confinement in state correctional institutions, and additional individuals under parole supervision. The bill may have a negative fiscal impact by increasing the number of individuals placed under felony community supervision, incarcerated within state correctional institutions, or placed under parole supervision. Whether the bill would result in a significant fiscal impact is indeterminate because data collected at the statewide level do not contain offense location, the information necessary to determine the impact for the circumstances under which the penalties for these offenses would be enhanced.

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

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

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