

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

Revision 1

May 3, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2908 by Hunter (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 and to an education campaign regarding the importance of peace officers in the community.),
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, information necessary to determine the impact of the bill's enhancement provision. Additionally, data collected at the statewide level do not distinguish between peace officers and other public servants, information necessary to determine the impact associated with the increases in punishment.

The bill would amend the Penal Code as it relates 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. The bill would also require the Texas Commission on Law Enforcement (TCOLE) to implement an educational campaign. Under the provisions of the bill, certain offenses against peace officers would be enhanced to the next higher offense category if an affirmative finding of bias or prejudice against a peace officer is found by a court. Enhancing or increasing 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 under the circumstances in which these offenses would be enhanced or increased. The Office of Court Administration and TCOLE 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

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 407
Commission on Law Enforcement, 696 Department of Criminal Justice

LBB Staff: UP, LM, RFL, SD, ZB

