

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

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

**April 10, 2017**

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

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

**IN RE: HB3192** by Uresti, Tomas (Relating to the punishment and community supervision for certain offenses committed against a child, an elderly individual, or a disabled individual; increasing a criminal penalty.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Code of Criminal Procedure and Penal Code as they relate to the punishment and community supervision for certain offenses committed against a child, an elderly individual, or a disabled individual. Under the provisions of the bill, during the trial phase of certain cases a judge would be required to make an affirmative finding of fact the victim or intended victim of certain offenses was at the time of those offenses a child, an elderly individual, or a disabled individual. The bill would also establish, as a condition of community supervision, a minimum term of confinement of 180 days in county jail for certain offenses. The Office of Court Administration and the Texas Department of Criminal Justice 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**

The Office of Court Administration does not anticipate a significant fiscal impact to local courts from the bill. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, 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.

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact. In addition to the fine, punishment can include up to 180 days of deferred disposition.

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

**LBB Staff:** UP, KJo, GG, RFL, JGA, LM