

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 3, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3249 by Leach (relating to persons who may be prosecuted for the offense of improper contact with a victim.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to make it an offense for a confined individual to engage in conduct that constitutes contact with certain victims if the director of the facility has not received written and dated consent to contact from those victim. Under existing statute, improper contact with a victim is a Class A misdemeanor or third degree felony depending on the specific circumstances of the offense.

The Office of Court Administration, the Texas Juvenile Justice Department, and the Texas Department of Criminal Justice do not anticipate a significant fiscal impact.

This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources. The bill would take effect on September 1, 2017 and apply only to an offense committed on or after the effective date of the Act.

Local Government Impact

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. 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, 644 Juvenile Justice Department, 696 Department of Criminal Justice

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