# LEGISLATIVE BUDGET BOARD
## Austin, Texas

## FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

## March 10, 2019

**TO:** Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

**FROM:** John McGeady, Assistant Director     Sarah Keyton, Assistant Director
Legislative Budget Board

**IN RE:** **HB902** by Landgraf (Relating to increasing the criminal penalty for assault of a pregnant woman.), **As Introduced**

> **The probable fiscal impact of implementing the bill is indeterminate because data collected at the statewide level do not reveal the number of assault cases involving a pregnant victim, information necessary to determine the impact of the bill's enhancement provision.**

The bill would amend the Penal Code as it relates to the penalty for assault of a pregnant victim. Under the provisions of the bill, intentionally, knowingly, or recklessly causing bodily injury to someone the actor knows or should have known is pregnant at the time of the offense would be punished by a third degree felony.

Enhancing the penalty for any offense is expected to result in increased demands on the correctional resources of the counties or of State due to longer terms of supervision in the community or longer terms of confinement within state correctional institutions. The bill may have a negative fiscal impact by increasing the number of individuals under felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact on state correctional agencies is indeterminate due to a lack of statewide data containing the detail necessary to isolate those individuals arrested or placed under community supervision for assault under the circumstances in which this offense would be enhanced. The Office of Court Administration does not anticipate a significant fiscal impact.

## 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
**LBB Staff:** WP, LBO, LM, DGi