

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 31, 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: HB1088** by Geren (Relating to enhancing the criminal penalties for certain repeat and habitual offenders.), **As Introduced**

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

The bill would amend the Penal Code and Code of Criminal Procedure as they relate to enhancing criminal penalties for individuals with certain repeat and habitual offenses. Under the provisions of the bill, if it is shown on trial of a Class A misdemeanor that an individual has been previously convicted at least four times of a Class A misdemeanor or above and each offense was committed within ten years of the current offense, the Class A misdemeanor would be increased to a state jail felony.

The Office of Court Administration and the Texas Department of Criminal Justice indicate the modifications outlined in the bill's provisions will not result in 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.

**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. Lost revenue from reduced fines imposed and collected is not anticipated to have a significant fiscal impact.

According to the Texas Association of Counties and Texas Municipal League, no significant fiscal impact to units of local government is anticipated.

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

**LBB Staff:** WP, LBO, LM, SPa, AF