

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 25, 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: HB1381 by Wray (Relating to enhancing the criminal penalty for aggravated assault committed in or on school property or on a passenger transportation vehicle of a primary or secondary school.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to the lack of data or information related to the location of the offense or, if occurring in transit, the origin or destination of the transportation vehicle used. These data are necessary to determine the number of cases subject to the bill's enhancement provision.

The bill would amend the Penal Code to add certain behaviors to the list of those for which the penalty for aggravated assault may be enhanced from a second to a first degree felony.

Enhancing the penalty for any offense is expected to result in increased demands upon the correctional resources of the counties or of the 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 people on felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to a lack of statewide data containing the level of detail necessary to identify the location at which an offense occurred or, if it occurred in transit, the origin or destination of the vehicle used. The Office of Court Administration does not anticipate a significant fiscal impact to the court system.

Local Government Impact

According to the Texas Association of Counties and Texas Municipal League, no significant fiscal implication 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, DGi, AF