

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

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

**May 7, 2019**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB2758** by Hernandez (Relating to changing the eligibility of persons charged with certain trafficking and prostitution offenses to receive community supervision, including deferred adjudication community supervision.), **As Engrossed**

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

The bill would amend the Code of Criminal Procedure and the Health and Safety Code to add to the list of offenses from the Penal Code for which both a judge is prohibited from ordering community supervision or deferred adjudication and a jury is prohibited from recommending community supervision unless a judge finds that a defendant committed the offense solely as a victim of the list of prohibited offenses.

Based on the analysis of the Office of Court Administration, the Department of State Health Services, the Department of Criminal Justice, and the Board of Pardons and Paroles, no significant fiscal impact to the state is anticipated.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

The bill would take effect September 1, 2019.

**Local Government Impact**

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, 697 Board of Pardons and Paroles, 537  
                                 State Health Services, Department of

**LBB Staff:** WP, DA, LBO, MW, SPa