

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 7, 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: HB2874 by Davis, Yvonne (Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.), **As Introduced**

The fiscal impact of implementing the bill is indeterminate due to the lack of data necessary to determine the number of cases that would be prosecuted for abandoning or endangering an elderly or disabled individual. These data are necessary to estimate the fiscal impact of the bill's provisions.

The bill would amend the Penal Code to add elderly and disabled individuals to the statute, which in its current form, makes it an offense to abandon or endanger a child. This offense would be punished at multiple felony levels with the punishment level based on the specific circumstances of the offense.

Expanding the list of behaviors for which a criminal penalty can be applied is expected to result in additional demands upon the correctional resources of counties or of the state due to an increase in individuals placed under community supervision or sentenced to a term of confinement within state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people placed under felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact cannot be determined due to the lack of data or information related to the number of people who would be prosecuted for abandoning or endangering an elderly or disabled individual. The Office of Court Administration indicates the modifications outlined in the bill's provisions will not result in a significant fiscal impact to the state court system.

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

LBB Staff: WP, LBO, LM, JPo