

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 1, 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: HB2937 by Sheffield (Relating to the offense of aggravated assault using a deadly weapon.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to a lack of statewide data containing the level of detail necessary to determine if the aggravated assault with a deadly weapon resulted in serious bodily injury. These data are necessary to determine the fiscal impact of the bill's enhancement provision.

The bill would amend the Penal Code as it relates to aggravated assault. Under the provisions of the bill, the qualifications for an enhancement of the offense from a second to a first degree felony would be modified to allow for enhancement whether or not a certain type of relationship existed between the actor and the victim.

Enhancing the penalty for any offense is expected to result in additional 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 level of detail necessary to determine the number of times in which aggravated assault with a deadly weapon also resulted in serious bodily injury and would now be enhanced whether or not a certain type of relationship existed between the actor and the victim. The Office of Court Administration does not anticipate a significant fiscal impact.

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, DGi