

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 14, 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: **HB3177** by Smith (Relating to the prosecution of the offense of continuous sexual abuse of a child or disabled individual.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to a lack of data that would allow those cases in which the victim of the sexual abuse was a disabled individual to be isolated from all other sexual abuse cases. These data are necessary to determine the number of individuals who would be eligible for prosecution under the proposed continuous sexual abuse of a child or disabled individual offense and the fiscal implications of the bill's provisions.

The bill would amend various codes as they relate to the criminal offense of continuous sexual abuse of a young child. Under the provisions of the bill, a person would commit an offense if they continuously sexually abused a disabled individual.

Expanding the circumstances for a criminal offense is expected to result in additional demands on the correctional resources of the counties and of the State due to an increase in individuals placed under supervision in the community or sentenced to terms of confinement within state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people placed onto 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 that would allow those cases in which the victim of sexual abuse was a disabled individual to be isolated from all other sexual abuse cases. These data are necessary to determine how many additional people would be eligible for prosecution for continuous sexual abuse of a child or disabled individual under the provisions of the bill. The Office of Court Administration indicates no significant fiscal impact is anticipated to the state court system. According to the Comptroller of Public Accounts, the fiscal impact to the State cannot be estimated.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
 Comptroller of Public Accounts, 696 Department of Criminal Justice

LBB Staff: WP, LBO, LM, SPa