

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 24, 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: HB3561 by Farrar (Relating to the creation of the criminal offense of continuous sexual assault.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code and the Code of Criminal Procedure as they relate to creating the criminal offense of continuous sexual assault. Under the provisions of the bill, a person would commit continuous sexual assault if, during a period of 30 days or more, the person committed two or more acts of sexual assault as specified in the bill. Continuous sexual assault would be punishable as a first degree felony. Sexual assault is currently punishable as a second degree felony and aggravated sexual assault is punishable as a first degree felony under existing statute.

The Office of Court Administration and the Texas Department of Criminal Justice indicate the modifications outlined in the bill's provisions will not result in a significant fiscal impact. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources. Under current law and policy, individuals convicted of sexually violent offenses serve a high percentage of their sentence. Assuming the bill would apply only to offenses committed on or after the effective date of the Act, the full impact of the bill's provisions would not be realized within the first five years after passage.

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, SPa