

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

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

**April 6, 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:** **SB1259** by Huffman (relating to the prosecution of the offense of sexual assault.),  
**Committee Report 1st House, Substituted**

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

The bill would amend the Penal Code as it relates to the prosecution for the offense of sexual assault. Under the provisions of the bill, certain actions by a health care provider would be added to the list of actions that are considered to have been conducted without a person's consent for purposes of the prosecution of sexual assault. Under these circumstances sexual assault would be punished as a state jail felony, and the statute of limitations for this offense would be two years from the date the offense was discovered. Sexual assault is punished at multiple felony levels with the punishment level and statute of limitations based on the specific circumstances of the offense.

The Office of Court Administration and the Texas Department of Criminal Justice indicate the modifications outlined in the bill's provisions would not result in a significant fiscal impact. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional populations or the demand for state correctional resources.

**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