

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 11, 2021**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB375** by Smith (Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.), **As Engrossed**

**Expanding the circumstances for which a criminal penalty is applied is expected to result in additional demands on the correctional resources of the State. 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 full extent of 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.

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 the number of additional people who 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**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 304 Comptroller of Public Accounts, 696 Department of Criminal Justice

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