

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 20, 2021

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB376 by Smith (Relating to the punishment for the criminal offense of improper sexual activity with a person in custody; increasing a criminal penalty.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code as it relates to the offense of improper sexual activity with a person in custody or under supervision. Under the provisions of the bill, the offense would be punishable as a second-degree felony regardless of victim status.

The Office of Court Administration, the Commission on Law Enforcement, the Juvenile Justice Department, and the Department of Criminal Justice indicate the modifications outlined in the bill's provisions would not result in a significant fiscal impact. This analysis assumes implementing the provisions of the bill addressing felony sanctions would not result in a significant impact on 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 Admin, 407 Law Enforcement, 644 Juvenile Justice Department, 696 Department of Criminal Justice

LBB Staff: JMc, DKN, LM, DGI