

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 23, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB838 by Johnson, Jarvis (Relating to the extent of a defendant's criminal responsibility for the conduct of another in capital felony cases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to a defendant's criminal responsibility for the conduct of another in capital felony cases. Under the provisions of the bill, in a capital felony case where the defendant's liability is based solely on the conduct of another as outlined in the bill, the state could not seek the death penalty and the defendant could not be sentenced to death.

The Texas Department of Criminal Justice and Office of Court Administration 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, 696 Department of Criminal Justice

LBB Staff: JMc, DKN, LM, SPA