

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 28, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1038 by Beckley (Relating to the repeal of the criminal offense of homosexual conduct.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would repeal a Penal Code provision relating to the offense of engaging in deviate sexual intercourse with another individual of the same sex. The bill would also amend the Health and Safety Code to make certain conforming changes with education materials for education programs.

The bill would repeal a Class C misdemeanor.

According to the Office of Court Administration (OCA), no significant fiscal impact to the State court system is anticipated.

According to the Department of State Health Services, any costs associated with the bill could be absorbed within existing resources.

According to the Texas Education Agency, no fiscal implication to the State is anticipated.

Local Government Impact

A Class C misdemeanor is punishable by a fine of not more than \$500. In addition to the fine, punishment can include up to 180 days of deferred disposition. Lost revenue from reduced fines imposed and collected is not anticipated to have a significant fiscal impact.

According to OCA, no significant impact to local courts is anticipated.

Source Agencies: 212 Office of Court Admin, 304 Comptroller of Public Accounts, 537 State Health Services, 701 Texas Education Agency

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