

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1306 by Swanson (Relating to increasing the criminal penalty for assault or aggravated assault of a process server.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to increasing the criminal penalty for assault or aggravated assault of a process server. Under the provisions of the bill, the penalty for assault of an individual the actor knows is a process server, while in the performance of their duty as a process server, would be enhanced to a third degree felony, and the punishment for aggravated assault under the same circumstances would be enhanced to a first degree felony.

The Office of Court Administration 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, 696 Department of Criminal Justice

LBB Staff: JMc, DKN, LM, DGI