

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

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the offenses of assault and aggravated assault. 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