

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1509 by Murphy (Relating to enhancing the criminal penalties for certain repeat and habitual offenders.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code and Code of Criminal Procedure as they relate to enhancing criminal penalties for individuals with certain repeat and habitual offenses. Under the provisions of the bill, if it is shown on trial of a Class A misdemeanor that an individual was previously convicted at least four times of a Class A misdemeanor or above for an offense that occurred subsequent to the previous conviction and each offense was committed within ten years of the current offense, the Class A misdemeanor would be increased to a state jail felony, which could be further increased to the next felony punishment level according to the circumstances outlined in the bill. Additionally, if it is shown on trial of a Class B misdemeanor that an individual has been previously convicted of a Class B misdemeanor or above, the individual could be punished as outlined in the bill.

According to the Office of Court Administration (OCA), because OCA anticipates the provisions of this bill to affect very few offenses, no significant fiscal impact to the state court system is anticipated. The Texas Department of Criminal Justice does not anticipate a significant fiscal impact. This analysis assumes 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, AF, SPA