

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 18, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2505** by Smith (Relating to creating the criminal offense of boating while intoxicated with a child passenger; changing the eligibility for deferred adjudication community supervision.), **As Engrossed**

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| <b>No significant fiscal implication to the State is anticipated.</b> |
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The bill would amend the Penal Code as it relates to the offense of boating while intoxicated. Under the provisions of the bill, boating while intoxicated with a passenger younger than 15 years of age would be punishable as a state jail felony, eligible for enhancement under certain circumstances, and ineligible for certain types of community supervision.

The Office of Court Administration indicates 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

**LBB Staff:** JMc, DKN, LM, MP