

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: **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.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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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. Under existing statute, boating while intoxicated is punishable as a Class B misdemeanor with a minimum term of confinement of 72 hours.

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