

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 17, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2781 by Johnson, Ann (Relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.), **As Engrossed**

Increasing the amount of time served and the criminal penalty for a criminal offense is expected to result in increased demands on the correctional resources of the State. The probable fiscal impact of implementing the provisions of the bill is indeterminate due to the lack of information on the number of persons who committed aggravated assault as part of a mass shooting. This information is necessary to identify the cases affected by the provisions of the bill from all other aggravated assault cases.

The bill would amend the Penal Code as it relates to aggravated assault offenses as part of a mass shooting. Under the provisions of the bill, an actor who commits aggravated assault as part of a mass shooting would commit a first degree felony and would serve consecutive sentences in certain circumstances as outlined in the bill.

Requiring consecutive sentences and increasing the criminal penalty for a criminal offense is expected to result in additional demands on the correctional resources of the counties or of the State due to an increase in individuals placed onto supervision in the community or sentenced to terms of confinement within state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people on felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to the lack of information on the number of persons who committed aggravated assault as part of a mass shooting. The Office of Court Administration does not anticipate a significant fiscal impact to the state court system as a result of implementing the bill's provisions.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, LM, SPA, AF