

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 19, 2021

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB312 by Huffman (Relating to the punishment for the criminal offense of improper sexual activity with a person in custody; increasing a criminal penalty.), **As Passed 2nd House**

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| <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 improper sexual activity with a person in custody or under supervision. Under the provisions of the bill, the offense would be punishable as a second-degree felony regardless of victim status.

The Office of Court Administration, the Commission on Law Enforcement, the Juvenile Justice Department, 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, 407 Law Enforcement, 644 Juvenile Justice Department, 696 Department of Criminal Justice

LBB Staff: JMc, LBO, SLE, KFB, NA, DKN, LM, DGI