

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

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

**April 19, 2021**

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

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

**IN RE: SB945** by Eckhardt (Relating to the prosecution of the criminal offense of sexual assault.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend the Penal code as it relates to the prosecution of the criminal offense of sexual assault. Under the provisions of the bill, the definition of sexual assault without consent would be amended to add mental health care services providers, health care services providers, and persons purporting to be a health care services provider to the list of defendants who cannot claim as a defense that the alleged victim consented if the victim's consent was based on a false impression created or confirmed by the defendant.

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**

The Texas Association of Counties indicates no significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin

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