

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

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

**April 7, 2021**

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

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

**IN RE: SB1354** by Miles (Relating to the prosecution of the offense of injury to a child, elderly individual, or disabled individual.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would the Penal Code to clarify that in order to establish an affirmative defense under the section, the defendant only needs to establish that the defendant gave prior notice that the defendant would no longer provide the applicable care described by subsection (d) of the section, as opposed to no longer providing any of the care described by the subsection.

Based on the analysis of the Office of Court Administration and the Department of Family and Protective Services, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing available resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 530 Family & Protective Services

**LBB Staff:** JMc, DKN, BH