

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 3, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1388 by Creighton (Relating to the unlawful disclosure or promotion of an autopsy image or other visual depiction; creating a criminal offense.), **As Introduced**

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

The bill would amend the Penal Code to create the criminal offense of unlawful disclosure or promotion of autopsy image or other visual depiction. Under the provisions of the bill, the unlawful disclosure or promotion of autopsy image or other visual depiction would be punishable as a Class A misdemeanor unless certain circumstances are met, in which case it would be punishable as a state jail felony.

The Office of Court Administration indicates the modifications outlined in the bill's provisions would not result in a significant fiscal impact to the state court system. 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 does not anticipate a significant fiscal impact to counties.

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, LM, MP, ANE, AF