

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 11, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1646 by Perry (Relating to the protection of children, including the definition of child abuse and the prosecution of the criminal offense of abandoning or endangering a child.), **As Introduced**

Expanding the circumstances for a criminal offense is expected to result in additional demands on the correctional resources of the State. The probable fiscal impact of implementing the bill is indeterminate due to the lack of data that would identify cases involving puberty suppression prescription drug or cross-sex hormone or surgery for the purpose of child gender transitioning or reassignment as outlined in the provisions of the bill. These data are necessary to determine those cases, in which it is presumed a person engaged in conduct that places a child in imminent danger, from all other cases.

The bill would amend various codes as they relate to child abuse and abandoning or endangering a child. Under the provisions of the bill, the definition of abuse would be modified and the circumstances for the offense of abandoning or endangering a child would be expanded to include a person who involves puberty suppression prescription drugs, cross-sex hormones, or surgery for the purpose of child gender transitioning or reassignment as outlined in the bill.

Expanding the circumstances for a criminal offense is expected to result in additional demands on the correctional resources of the counties and of the State due to an increase in individuals placed under supervision in the community or sentenced to terms of confinement within state correctional institutions. Whether the bill would have a significant fiscal impact is indeterminate due to the lack of data that would allow those cases, in which the actor involved certain prescription drugs, hormones, or surgery for a child for the purpose of gender transitioning or reassignment, to be isolated from all other cases.

The Office of Court Administration indicates the modifications outlined in the bill's provisions would not result in a significant fiscal impact.

Local Government Impact

The Texas Association of Counties does not anticipate a significant fiscal impact to counties from SB 1646, as introduced.

Source Agencies: 212 Office of Court Admin, 696 Department of Criminal Justice

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