

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 8, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB165 by Johnson, Ann (Relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would increase the penalty for aggravated assault from a second degree felony to a first degree felony if the actor commits the assault as part of a mass shooting as defined by the bill. The bill would require that if in a single criminal action the actor is found guilty of more than one such offense, the sentences run consecutively. The bill would exempt offenses that have been consolidated or joined for trial from the right to severance of the offenses.

The Office of Court Administration indicates that no significant fiscal impact to the state court system is anticipated.

While it is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant, it would be dependent on the the number of offenses committed.

Local Government Impact

While it is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant, it would be dependent on the number of offenses committed.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JMc, DDel, LBO, ESch