

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 4, 2023

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB491 by Wu (Relating to the age of a child at which a juvenile court may exercise jurisdiction over the child and to the minimum age of criminal responsibility.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would increase the minimum age for a child to be sanctioned for a school offense or taken into custody for an offense under the jurisdiction of a justice or municipal court from 10 years of age to 12 years of age. The bill would increase the minimum age at which a juvenile court may exercise jurisdiction over a child from 10 years of age to 12 years of age unless the child is alleged or found to have engaged in conduct that violates a penal law of the grade of felony. The bill would make conforming changes related to the minimum age of criminal responsibility. The bill would require a juvenile court, before holding an adjudication hearing and on the request of any party, to hold a hearing to determine whether to waive its jurisdiction over a child younger than 12 years of age and establishes certain procedures for such hearings.

It is assumed that any fiscal impact and any impact on juvenile state correctional populations or on the demand for juvenile state correctional resources would not be significant.

Local Government Impact

While the fiscal impact to units of local government cannot be determined, the decreased demands upon local juvenile correctional resources due to a possible decrease in the number of individuals placed under supervision in the community or sentenced to a term of confinement could be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department

LBB Staff: JMc, DDel, LBO, ESch