

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

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 18, 2023**

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

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

**IN RE: HB2187** by Davis (Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.), **As Engrossed**

Expanding the conduct constituting and modifying the penalty for an existing offense may result in additional demands upon state correctional resources due to a possible increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement. The fiscal implications of the bill cannot be determined due to the lack of data to identify the prevalence of conduct that would constitute an offense of abandoning or endangering an elderly or disabled individual under the provisions of the bill.

The bill would expand the conduct constituting the offense of abandoning or endangering a child to include abandoning or endangering an elderly or disabled individual and would establish the limitation on felony indictments to be presented at five years from the date of the commission of the offense. The bill would amend certain Estates Code, Family Code, Health and Safety Code, and Occupations Code provisions related to such an offense.

The fiscal impact and any impact on state correctional populations or on the demand for state correctional resources cannot be determined due to the lack of data necessary to identify the prevalence of conduct that would constitute an offense of abandoning or endangering an elderly or disabled individual under the provisions of the bill. According to the Office of Court Administration, the fiscal impact to the state court system is not expected to be significant.

**Local Government Impact**

While the fiscal impact cannot be determined, expanding the conduct constituting and modifying the penalty for an existing offense may result in additional demands upon local correctional resources due to a possible increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

**LBB Staff:** JMc, DDeI, LBO, ESch