

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 3, 2023

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2696 by Howard (Relating to the prosecution of the offense of sexual assault.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend certain conduct constituting the offense of sexual assault to establish that an act of sexual assault is without a person's consent if the actor knows or reasonably should know that the person is temporarily incapacitated or otherwise unable to resist the act, unaware that the sexual assault is occurring, has withdrawn consent to the act, or intoxicated by any substance such that the person is incapable of consenting to the act. 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.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

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

LBB Staff: JMc, DDeI, LBO, MGol