

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 6, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB287 by Huffman (Relating to the prosecution of the offense of terroristic threat.), **As Introduced**

No significant fiscal implication to the State is anticipated; however, increasing a penalty from a misdemeanor to a felony would permit the punishment of juveniles by commitment to the Texas Juvenile Justice Department and may have a significant fiscal impact if populations in juvenile state correctional facilities increase.

The bill would expand the conduct constituting the third degree felony offense of terroristic threat to include certain threats made to influence the conduct or activities of certain educational and child-care facilities. Currently, this conduct may be punishable as a Class A misdemeanor or state jail felony if the conduct prevents or interrupts the occupation or use of a building.

It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant unless there were a significant increase in the number of juveniles committed to the Texas Juvenile Justice Department (TJJD). Based on the *February 2023 Criminal and Juvenile Justice Uniform Cost Report*, the fiscal year 2022 uniform cost per day for a juvenile committed to TJJD and placed in a secure residential facility was \$709.66, which resulted in an annual cost of \$259,026.

Local Government Impact

Increasing the penalty for an existing offense may result in increased demands upon local juvenile 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. It is assumed that any fiscal implication to units of local government associated with enforcement, prosecution, supervision, or confinement of adults would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 644 Juvenile Justice Department, 696 Department of Criminal Justice

LBB Staff: JMc, DDel, LBO, ESch, CMA