

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 24, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1160 by Hull (relating to increasing the criminal penalty for the offense of assault committed against certain employees or agents of a utility and to the prosecution of the criminal offense of interference with public duties of those employees or agents; increasing criminal penalties for certain criminal offenses relating to interference with public duties.), **Committee Report 1st House, Substituted**

Increasing the penalty for an existing offense may result in increased 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 estimate the prevalence of conduct outlined in the bill's provisions that would be subject to increased criminal penalties.

The bill would increase the criminal penalty for the offense of assault that causes bodily injury from a Class A misdemeanor to a third degree felony if the defendant assaulted a person who the defendant knows is a utility employee or agent while the person is performing a duty within the scope of that employment or agency. The bill would furthermore expand the conduct constituting the Class B misdemeanor offense of interference with public duties by including the interference or disruption of a person who is a utility employee or agent while the person is performing a duty within the scope of that employment or agency and subjects the penalty to a possible enhancement to the next higher category if the offense was committed in a disaster or evacuated area.

The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to the lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to increased criminal penalties.

Local Government Impact

While the fiscal impact cannot be determined, increasing the penalty for an existing offense may result in increased 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, MGol, AMr, QH