

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 21, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB1422** by Hull (Relating to the rights of victims of sexual assault and other sex offenses, the offense of continuous sexual abuse, and the prosecution, punishment, and collateral consequences of certain sex offenses; creating a criminal offense; increasing criminal penalties; changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of certain sex offenses.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1422, As Engrossed: a negative impact of (\$1,035,618) through the biennium ending August 31, 2027.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

Creating a new offense, expanding conduct constituting and increasing penalties for existing offenses, and disallowing supervisory alternative punishments for offenses may result in additional demands upon state correctional resources due to a possible increase in the number of individuals confined and in the length of stay for individuals sentenced to a term of confinement. The fiscal implications of the bill relating to criminal offenses cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to criminal penalties.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2026	(\$644,547)
2027	(\$391,071)
2028	(\$391,071)
2029	(\$391,071)
2030	(\$391,071)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$644,547)	3.0
2027	(\$391,071)	3.0
2028	(\$391,071)	3.0
2029	(\$391,071)	3.0
2030	(\$391,071)	3.0

Fiscal Analysis

The bill would provide for Department of Public Safety (DPS) testing of DNA evidence without regard to whether a report of the offense is made to a law enforcement agency.

The bill would require DPS to process and store an additional number of sexual assault kits, necessitating additional agency staff.

The bill would require DPS to upgrade certain tracking software to comply with the bill's victim consent and additional evidence submission provisions.

The bill would create the first degree felony offense of continuous sexual abuse, committed when, during a period that is 30 or more days in duration, an actor 17 years of age or older commits two or more acts of sexual abuse, as defined in the bill, against two or more victims.

The bill's newly created offense would serve as an element expanding conduct for several existing felony offenses and provide a basis for the exceptional sentencing of several existing felony offenses.

Ineligibility for alternatives to incarceration including parole, mandatory supervision, community supervision, and deferred adjudication community supervision would be predicated on a defendant's conduct with respect to the bill's newly created offense.

The bill expands circumstances when the offense of aggravated sexual assault may be punished with a minimum 25 year sentence and allows for concurrent or consecutive sentencing for sexual assault and aggravated sexual assault regardless of victim age.

The bill would amend conduct constituting and increase penalties for the offense of voyeurism.

Methodology

According to DPS, 1.0 additional Forensic Scientist IV and 1.0 Crime Laboratory Specialist II would be needed to comply with the provisions of the bill related to testing sexual assault test kits. Additionally, DPS also estimates the agency would need 1.0 Program Specialist V to support the new full-time equivalent positions.

This analysis includes \$291,845 in fiscal year 2026 and \$291,845 in fiscal year 2027 for salary and benefits. Other costs including rent, consumable supplies, travel, other operating expenses, and capital expenditures would total \$352,702 in fiscal year 2026 and \$99,226 in fiscal year 2027.

Technology

DPS estimates \$225,000 in fiscal year 2026 for software upgrades to the Track-Kit and Laboratory Information Management System to track cases under the provisions of the bill.

Local Government Impact

While the fiscal impact cannot be determined, creating a new offense, expanding conduct constituting and increasing penalties for existing offenses, and disallowing supervisory alternative punishments for offenses 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 confined locally.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 405 Department of Public Safety

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