

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 14, 2025

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2458 by Virdell (Relating to a defense to prosecution for the offense of aggravated assault.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would create a defense to prosecution of the offense of aggravated assault when a deadly weapon was used or exhibited during the commission of assault and the actor qualified for justification excluding criminal responsibility and reasonably believed that the behavior was immediately necessary to defend against another's use or attempted use of unlawful or deadly force.

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

LBB Staff: JMc, MGol, AMr, QH