

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 5, 2025**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB2799** by Creighton (Relating to increasing the criminal penalty for the offense of reckless driving.), **As Introduced**

Increasing the penalty for an existing offense from a misdemeanor to a felony may result in additional demands upon state correctional resources due to a possible increase in the number of individuals confined. The fiscal implications of the bill cannot be determined due to a lack of data to estimate the prevalence of outcomes outlined in the bill's provisions that would be subject to felony punishment.

The bill would provide for punishment of the misdemeanor offense of reckless driving as a state jail felony in cases when another person suffers bodily injury as a result of the offense, or as a third degree felony when the outcome is serious bodily injury.

Increasing the penalty for an existing offense from a misdemeanor to a felony may result in additional demands upon state correctional resources due to a possible increase in the number of individuals confined. Based on the January 2025 Biennial Report on Adult Criminal Justice Populations Fiscal Years 2018 to 2030, the uniform cost per day for an adult incarcerated in a Texas Department of Criminal Justice systemwide facility was \$86.50. Based on the January 2025 Biennial Report on Juvenile Justice Populations Fiscal Years 2018 to 2030, the uniform cost per day for a juvenile incarcerated in a Texas Juvenile Justice residential facility was \$770.53.

The Office of Court Administration and the Comptroller of Public Accounts (CPA) indicate that the fiscal impact of the bill is indeterminate.

**Local Government Impact**

While the fiscal impact cannot be determined, increasing the penalty for an existing offense from a misdemeanor to a felony may result in additional demands upon state correctional resources due to an 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, 304 Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** JMc, AAL, AMr, DGI