

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2156 by Coleman (Relating to the repeal of the offense of homosexual conduct.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to repeal the offense of homosexual conduct. Under current statute, homosexual conduct is punishable as a Class C Misdemeanor.

Decreasing the list of behaviors for which a penalty is applied for any criminal offense is expected to result in decreased demands upon the correctional resources of counties and/or of the State. For this analysis, it is assumed that the number of offenders no longer convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

The bill would also remove the current requirement that language about homosexual conduct be included in educational materials related to HIV and other sexually transmitted diseases targeted to persons less than 18 years of age. It is assumed that any costs associated with this provision could be absorbed within existing Department of State Health Services' resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, ESi, MB, JF, NB