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FISCAL IMPACT REPORT

ORIGINAL DATE 2/17/07

SPONSOR Rehm LAST UPDATED _____ HB 962

SHORT TITLE Fleeing Law Enforcement Officer Penalties SB _____

ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1	\$0.1	\$0.1	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Corrections Department (CD)
 Department of Public Safety (DPS)
 Public Defender Department (PDD)
 Sentencing Commission (SC)

SUMMARY

Synopsis of Bill

House Bill 962 enhances penalties for aggravated fleeing a law enforcement officer when, in the process of fleeing, causing great bodily harm to one or more persons. Current law provides a fourth degree felony for aggravated fleeing a law enforcement officer.

Enhanced Penalties:

- Causing great bodily harm to one person – fourth degree felony
- Causing great bodily harm to 2 or more persons – second degree felony

FISCAL IMPLICATIONS

Any fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. There may be an increase in the amount of work that needs to be done by the courts, thus requiring additional resources to handle the increase.

SIGNIFICANT ISSUES

As penalties become more severe, defendants may invoke their right to trial and their right to trial by jury. More trials and more jury trials will require additional judge time, courtroom staff time, and court room availability and jury fees.

The AODA states this bill will allow higher penalties on offenders who cause great bodily harm to others, including passengers in the drivers' vehicles. It may raise issues of merger if two or more persons are injured at the same moment, but if upheld, it would be a very useful accountability tool for grievous offenders.

ADMINISTRATIVE IMPLICATIONS

There is an administrative impact on the court resulting from added judicial time needed to dispose of these types of cases in the manner provided under the law.

DW/nt