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FISCAL IMPACT REPORT

SPONSOR: M.H. Garcia DATE TYPED: 10/29/03 HB 8

SHORT TITLE: Kidnapping as Second Degree Felony SB

ANALYST: Maloy

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY04 | FY05 | FY04 | FY05 | | |
| | | | NFI | | |

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

| Estimated Revenue | | Subsequent Years Impact | Recurring or Non-Rec | Fund Affected |
|-------------------|------|-------------------------|----------------------|---------------|
| FY04 | FY05 | | | |
| | | NFI | | |

(Parenthesis () Indicate Revenue Decreases)

Relates to HB 2.

SOURCES OF INFORMATION

No responses.

SUMMARY

Synopsis of Bill

House Bill 8 amends the criminal definition of kidnapping to provide that release of a victim without inflicting physical injury or a sexual offense will reduce the charge from a first degree offense to a second degree offense.

Significant Issues

Current language in the statute provides that kidnapping will be reduced from a first degree offense to a second degree offense if the victim is released without “great bodily harm”.

FISCAL IMPLICATIONS

HB 8 does not include an appropriation.

ADMINISTRATIVE IMPLICATIONS

The administrative implications to the courts, Department of Public Safety, Attorney General's Office, District Attorneys and Public Defenders will be negligible.

OTHER SUBSTANTIVE ISSUES

HB 8 *may* result in kidnap victims being released without harm. However, once an individual has undertaken a kidnapping with intent to do harm, it is unlikely that a reduced degree of felony will present a sufficient incentive to change the individual's intended actions.

SM/dm