

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 2035
Version:	INT
Request Number:	5508
Author:	Rep. Branham
Date:	2/25/2019
Impact:	Potential cost savings for DOC

Research Analysis

HB 2035 modifies the crime of failure to protect a child from abuse by reducing the penalty to a term of not more than 4 years imprisonment. The measure provides an affirmative defense if the person had a reasonable apprehension that any action to stop the physical abuse would result in substantial bodily harm to the person or the child. The measure provides that the penalties for failure to protect are to be retroactive.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 2035, which reduces penalties for certain crimes, is determined to have a cost savings for DOC. However, the overall savings is contingent upon how many individuals who are currently in DOC custody qualify for immediate release via retroactivity and how many individuals in the future are found guilty and sentenced to the lower amount of incarceration. Currently, the average cost of incarceration in DOC custody for one inmate is \$58.70/day or \$21,425.50/year.

Prepared By: Kristina King

Other Considerations

None.