

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 31, 2005**

**TO:** Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB197** by Guillen (Relating to the punishment for the offense of criminal mischief.),  
**Committee Report 1st House, Substituted**

<p><b>No fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code by making the offense of criminal mischief a Class C misdemeanor punishable by a fine not to exceed \$1,000 if the amount of pecuniary loss is less than \$50 and the actor has been previously convicted three or more times. The bill would take effect September 1, 2005.

Under current statute, criminal mischief is a Class C misdemeanor if the pecuniary loss is less than \$50, but the statute does not stipulate that the actor has been previously convicted three or more times. The standard punishment for a Class C misdemeanor is a fine not to exceed \$500. The provisions of the bill would double the maximum fine that could be imposed if the proposed new criteria are met.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, DLBa, KJG, GG