

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

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

**March 24, 2005**

**TO:** Honorable Joe Driver, Chair, House Committee on Law Enforcement

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

**IN RE: HB311** by McReynolds (Relating to the prosecution and punishment of the offense of making a false report to a peace officer or law enforcement employee.), **Committee Report 1st House, As Amended**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code to make it a Class A misdemeanor to knowingly make a false statement to a peace officer or employee of a law enforcement agency regarding a felony investigation. The bill would also make it a Class B misdemeanor to knowingly make a false statement relating to a misdemeanor investigation. The bill would take effect September 1, 2005 and would apply only to an offense that occurs on or after that date.

Under current statute, no differentiation is made between making a false statement regarding a felony or a misdemeanor investigation and the offense is classified as a Class B misdemeanor regardless of the level of offense being investigated. The punishment for a Class B misdemeanor is a fine not to exceed \$2,000 and/or jail confinement not to exceed 180 days. The punishment for a Class A misdemeanor is a fine not to exceed \$4,000 and/or jail confinement not to exceed one year.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

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