

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 21, 2005

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

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

IN RE: HB675 by Bonnen (Relating to the imposition of an additional cost on conviction of certain intoxication and alcohol-related offenses.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would create a new cost of \$100 to be imposed on a person convicted of an offense under Chapter 49, Penal Code (intoxication offenses) or Sections 106.03 (sale of alcohol to a minor) and 106.06 (purchase of alcohol for a minor or furnishing alcohol to a minor). Money collected would be deposited into the municipal or county treasury, as appropriate, only for use to assist the municipality or county in enforcement of laws relating to the possession or consumption of alcohol by a minor and for prevention activities. The bill would take effect September 1, 2005 and would apply only to an offense committed on or after that date.

Local Government Impact

There were 64,841 driving while intoxicated (DWI) convictions statewide at the county court level in fiscal year 2004, according to the Office of Court Administration (OCA). Assuming a 50 percent collection rate, the new \$100 fee would result in over \$3.2 million in increased revenue for county courts. The OCA reports that in fiscal year 2004, there were 7,603 felony DWI convictions in the district courts. Assuming a 33 percent collection rate, the new \$100 fee would result in a statewide revenue gain of \$250,899. OCA does not receive data on the number of Class C intoxication offense convictions in justice of the peace courts and municipal courts, but assumes the number of cases is significant, which would result in a positive fiscal impact for municipalities.

The positive fiscal impact to units of local government would vary by county and municipality.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, KJG, DLBa