

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

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

**May 28, 2005**

**TO:** Honorable David Dewhurst , Lieutenant Governor, Senate  
Honorable Tom Craddick, Speaker of the House, House of Representatives

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

**IN RE: HB1634** by Allen, Ray (Relating to arson and arson investigation; creating offenses.),  
**Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code by making punishable as a state jail felony the reckless causing of a fire or an explosion while manufacturing a controlled substance and in the process damaging any building, habitation, or vehicle. The offense would be punishable as a felony of the third degree if it is shown on the trial of the offense that bodily injury or death was suffered by any person by reason of the commission of the offense. The bill would also make punishable as a felony of the third degree the intentional start of a fire in or on a building, habitation, or vehicle with intent to damage or destroy property belonging to another, or with intent to injure any person, and in so doing recklessly causes damage to the building, habitation or vehicle. The impact of the provisions of the bill would depend on the number of persons arrested, prosecuted, and convicted of the offense; however, the increased workload and demand for resources would probably not be substantial.

**Local Government Impact**

The bill would also amend the Local Government Code by further specifying conditions in which a person commits the misdemeanor offense of contempt of fire investigation proceedings.

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

**Source Agencies:**

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