

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 26, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB460 by Miller (Relating to the offense of fraudulent use or possession of a person's identifying information.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by enhancing the punishment for the offense of fraudulent use or possession of identifying information from a state jail felony to a felony of the third degree if with the intent to harm or defraud another, the person uses identifying information of a deceased natural person, including a stillborn infant or fetus, without legal authorization.

In fiscal year 2006, there were 260 admissions to state jail for the offense of fraudulent use or possession of identifying information. The number of these 260 admissions that committed their offense with identifying information from a deceased person is unknown. Increasing the penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or, longer terms of confinement in county jails or prison. In the case of this bill, the increased workload and demand for resources would probably not be substantial.

Local Government Impact

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

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ES, GG