

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

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

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

**IN RE: HB1779** by Latham (Relating to the punishment for the offense of burglary of a vehicle.), **As Introduced**

The probable impact of implementing the bill cannot be determined due to the unavailability of reliable data or information related to the amount of pecuniary loss to tangible personal property involved in burglary of a vehicle offenses.

The bill would amend the Penal Code by establishing a punishment range for the offense of burglary of a vehicle based on the amount of pecuniary loss to tangible personal property involved in the offense. The punishment range for the offense would range from a Class B misdemeanor to a felony of the first degree depending on the amount of pecuniary loss to tangible personal property associated with the offense. The bill would allow multiple offenses within a 24-hour period to be considered as one offense in determining the pecuniary loss to tangible personal property.

Since the offense of burglary of a vehicle is currently punishable as a Class A misdemeanor, any provisions of the bill that would enhance the punishment to the level of felony are 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 fiscal year 2006, there were 1,617 individuals placed on misdemeanor community supervision for the offense of burglary of a vehicle. Assuming the same number of offenders in future years, the additional impact to criminal justice populations from the bill would vary greatly depending on the assumption regarding the amount of damage done to property and the corresponding punishment level associated with the property damage. A check of TDCJ records, Department of Public Safety records, Office of Court Administration records and Jail Standards Commission records did not reveal any information that would help in an accurate assumption regarding the amount of pecuniary loss to tangible personal property involved in the offense of burglary of a vehicle; therefore, the probable impact of implementing the bill cannot be determined.

**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