

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

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

**April 25, 2007**

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

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

**IN RE: SB1097** by Whitmire (Relating to the penalties for the offense of criminal trespass.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code to change the penalties for the offense of criminal trespass. Under current statute, trespassing in another person's vehicle or in a building is a Class B misdemeanor. The proposed change in statute would change trespassing in a vehicle or building to a Class C misdemeanor unless it is shown at trial that the defendant has been previously convicted of an offense of burglary or criminal trespass, in which case the offense would be a Class B misdemeanor.

A Class C misdemeanor is punishable by a fine not to exceed \$500. A Class B misdemeanor is punishable by a fine not to exceed \$2,000, confinement in county jail for up to 180 days, or both.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, ES, DB