

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 25, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB56 by Branch (Relating to the theft or unlawful possession of a motor vehicle inspection certificate; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code and the Transportation Code to create as a Class A misdemeanor offense the possession of an inspection certificate that has not been issued for a vehicle, with knowledge that the certificate was obtained unlawfully. The proposed change in law would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2009.

Punishment for a Class A misdemeanor is a fine not to exceed \$4,000, confinement in jail not to exceed one year, or both. According to the Department of Public Safety, of the almost 18.3 million inspection certificates distributed to inspection stations between October 2007 and October 2008, there were 2,885 certificates reported to the agency as stolen. It is anticipated that there would be no additional costs in enforcing the statute and that the fines collected would not have a significant fiscal implication for state or local government. Any jail time imposed would also not have a significant fiscal impact on local government.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ESi, DB