

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 6, 2009**

**TO:** Honorable Jim McReynolds, Chair, House Committee on Corrections

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

**IN RE: HB285** by Hodge (Relating to the use of tobacco products and cigarettes on property owned, used, or controlled by the Texas Department of Criminal Justice.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Government Code by having the Texas Department of Criminal Justice adopt a rule that permits the possession and use of tobacco products and cigarettes by employees, persons in custody, and visitors to property owned, used, or controlled by the Texas Department of Criminal Justice. Designated areas where persons are permitted to use tobacco products and cigarettes must be provided.

Although there could be a fiscal impact associated with increased health care costs and litigation related to exposure to second-hand smoke, no significant fiscal impact to the Texas Department of Criminal Justice is anticipated.

**Local Government Impact**

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

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ESi, GG, SDO