

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 13, 2009

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

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

IN RE: HB1558 by Martinez Fischer (Relating to certain criminal penalties and civil consequences for defendants convicted of an offense of graffiti and for juveniles adjudicated as having engaged in conduct involving graffiti.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure relating to criminal penalties and civil consequences for the offense of graffiti. The bill would also amend the Penal Code by enhancing the punishment for the offense of graffiti to a state jail felony if the offender has been previously convicted two or more times for the offense of graffiti and the amount of the pecuniary loss to property is any amount less than \$20,000. The enhancement provision of the bill is not anticipated to have a significant fiscal impact.

The Texas Department of Criminal Justice and the Juvenile Probation Commission have determined that the cost of implementing the provisions of the bill would not be significant. The Department of Public Safety anticipates some costs related to programming changes as required by the bill; however, it is assumed that the additional cost could be reasonably absorbed with current resources.

Local Government Impact

The bill would amend the Code of Criminal Procedure relating to restitution payments and community service requirements for defendants convicted or adjudicated for the offense of graffiti. The fiscal impact to local government from the requirements of the bill would vary depending on the number of offenders, the number of trials, and the amount of property recovered by a local entity; however, those costs are not anticipated to be significant.

Source Agencies: 405 Department of Public Safety, 665 Juvenile Probation Commission, 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, AI, TP