

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

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

**May 27, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB2609** by Miller, Doug (Relating to the prosecution and punishment of the offense of criminal trespass.), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would amend the Penal Code regarding offense levels for the offense of criminal trespass. Depending on the circumstances, the offense would be a Class C, Class B, or Class A misdemeanor. The bill would also add as a criminal trespass offense the act of entering or remaining on residential land, agricultural land, a recreational vehicle park, or a building of another and, having been previously notified that entering the land was prohibited or told to depart, fails to comply.

It is assumed that any costs associated with enforcement and prosecution could be absorbed within existing resources. Revenue collected as a result of fines imposed would depend on the number of cases prosecuted and the discretion of the judge in imposing the amount of fine.

**Local Government Impact**

In addition to costs and revenue described above, counties could incur costs associated with confining offenders in the county jail as part of the sentence imposed. However, depending on the number of cases for which jail time is imposed, it is assumed that costs could be absorbed within existing resources.

**Source Agencies:**

**LBB Staff:** JOB, SZ, DB, MN, ESi