

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 3, 2009

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

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

IN RE: HB4399 by Pena (Relating to the criminal prosecution of racketeering; providing penalties.),
As Introduced

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code and Code of Criminal Procedure as they relate to the criminal prosecution of racketeering. The bill would make proceeds or assets acquired through racketeering or employment by or association with an enterprise that engages in racketeering as defined by the bill punishable as a third degree felony. The bill would also provide for punishment enhancement to that of a second degree felony if the person hires, engages or uses a minor to commit an offense as defined by the bill.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill, if enacted, would take effect on September 1, 2009 and apply only to an offense committed on or after the effective date of the Act. It is assumed that the number of persons convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies.

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, TP, LM