

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

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

**April 7, 2009**

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

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

**IN RE: HB4484** by Howard, Charlie (Relating to the creation of the offense of unlawful transport or concealment of an illegal alien.), **As Introduced**

The probable impact of implementing the provision of this bill cannot be determined due to the unavailability of reliable data or information related to the unlawful transport or concealment of illegal aliens.

The bill would amend the Penal Code to create the offense of unlawful transport or concealment of illegal alien punishable as a state jail felony. The bill would take effect on September 1, 2009.

Broadening the definition of the types of behavior punishable is expected to result in increased demands upon the correctional resources of counties or of the State due to an increase in offenses. It is assumed that persons affected under the provisions of this bill are currently being sentenced under federal statute. According to the Bureau of Justice Statistics Federal Justice Statistics, 2005, the U.S. Marshals Service made 38,041 arrests nationwide for immigration offenses between October 1, 2004 and September 30, 2005. It is unknown how many of those arrests were for illegal alien transport or concealment or how many took place in Texas. A check of Bureau of Justice Statistics information, Texas Department of Criminal Justice records, Department of Public Safety records, Office of Court Administration records, and Jail Standards Commission records did not reveal any information that would help in an accurate assumption regarding the unlawful transport or concealment of illegal aliens; therefore, the probable impact of implementing the bill cannot be determined.

**Local Government Impact**

The probable impact to local government cannot be determined due to the unavailability of reliable data or information related to the unlawful transport or concealment of illegal aliens.

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

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