

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

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

**March 3, 2009**

**TO:** Honorable Mario Gallegos, Jr., Chair, Senate Committee on S/C on Flooding & Evacuations

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

**IN RE: SB359** by Patrick, Dan (Relating to punishment for the offense of theft committed in certain evacuated or disaster areas.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code by increasing the punishment for the offense of theft to the next higher category if the offense is committed in an area that is considered to be a disaster area or is an area subject to an emergency evacuation order.

The impact of the bill on correctional populations would depend on how many persons would be prosecuted under the provision of the bill, and the extent to which punishment would be enhanced under the proposed statute compared to existing statute. For this analysis it is assumed that the number of offenders convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those 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, DB, GG