

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

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

**March 14, 2009**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: SB554** by Whitmire (Relating to conduct constituting the offense of dog fighting and to the criminal and civil consequences of committing that offense.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Penal Code to include owning or possessing dog-fighting equipment with intent to train a dog for dog fighting or in furtherance of dog fighting to offenses punishable as a Class A misdemeanor. The bill would amend the Penal Code to include offenses relating to dog fighting as punishable as engaging in organized criminal activity. The engaging in organized criminal activity provision increases the punishment of certain offenses to the next higher category. The bill would also amend the Code of Criminal Procedure to include as contraband any property used or intended to be used in the commission of dog fighting, and that contraband may be subject to forfeiture.

The bill would take effect on September 1, 2009 and would apply to an offense committed on or after the effective date or to the forfeiture of property used in the commission of that offense.

It is assumed the number of persons convicted under this statute would not result in a significant impact on 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. The bill would modify the Penal Code to include owning or possessing dog-fighting equipment used to train a dog for dog fighting as a Class A misdemeanor offense. The bill also would include real, tangible, or intangible property used in the commission of an offense to be subject to forfeiture.

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

**LBB Staff:** JOB, ESi, GG, TMP, TP