

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 29, 2009

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

IN RE: SB1065 by Williams (Relating to civil racketeering; providing civil penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code relating to civil racketeering. The bill would provide different penalties and remedies for racketeering. The bill would abate organized enterprises engaged in a pattern or practice of racketeering involving gambling, prostitution, unlawful manufacture, transportation, repair or sale of weapons, controlled substances and dangerous drugs, indecency involving minors, human trafficking, bigamy, or fraudulent use of identifying information. Under bill provisions, the Office of the Attorney General (OAG) may bring a civil suit to abate the racketeering and may seek to recover civil penalties, including attorneys fees. The bill would provide for notification to local prosecutors and cooperation with local authorities and the disposition and sharing of civil awards, with the first \$10 million per fiscal year dedicated to the crime victims compensation fund.

The OAG anticipates that it would likely be required to review and approve agreements between the OAG and local prosecutors' offices relating to the prosecution of cases, sharing of civil penalties, and possible distribution of forfeited funds. However, the OAG anticipates any additional legal work resulting from the passage of the bill could be reasonably absorbed with current resources.

To the extent the bill would modify court procedures relating to civil suits, no significant increase in judicial workloads or fiscal implication to the Office of the Attorney General or the State is anticipated. The bill would take immediate effect if the bill receives two-thirds the vote of all members. Otherwise, the bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: JOB, KJG, TB, ESi