

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 14, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: SB2225 by Carona (Relating to the civil and criminal consequences of engaging in certain conduct involving the transporting or transferring of a firearm and to creating the offense of firearm smuggling.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by creating the offense of firearm smuggling. The offense of firearm smuggling would be punishable as a felony of the third degree unless it is shown that the offense was committed with respect to three or more firearms in a single criminal episode, in which event the offense is a felony of the second degree. The bill would also amend the engaging in organized criminal activity provision of the Penal Code to include certain cases of the offense of unlawful transfer of certain weapons, and the newly created offense of firearm smuggling. The bill would also amend the Code of Criminal Procedure relating to the definition of contraband and forfeiture proceedings for certain cases of the offense of unlawful transfer of certain weapons, and the newly created offense of firearm smuggling.

For this analysis it is assumed that the bill 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, KJG, GG, TP, ESi, LM