

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 8, 2011**

**TO:** Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

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

**IN RE: HB612** by Hopson (Relating to the criminal penalty for failure of a trustee to pay the beneficiaries of the trust the purchase price for timber sold by the trustee.), **As Engrossed**

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

The bill would amend the Natural Resources Code as it relates to failure of a trustee to pay the beneficiaries of the trust the purchase price for timber sold by the trustee. Under current statute, the offense identified in the bill is punishable as a state jail felony. Under the provisions of the bill, punishment options would increase in severity based on the value of the timber sold. The offense would be punishable as a state jail felony if it is shown at the trial of the offense that the value of the timber sold is at least \$500 but less than \$20,000; punishable as a third degree felony if it is shown at the trial of the offense that the value of the timber sold is at least \$20,000 but less than \$100,000; punishable as a second degree felony if it is shown at the trial of the offense that the value of the timber sold is at least \$100,000 but less than \$200,000; and punishable as a first degree felony if it is shown at the trial of the offense that the value of the timber sold is at least \$200,000.

The bill would take effect September 1, 2011 and apply only to an offense committed on or after the effective date of the Act.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, SZ, GG, LM, ADM