

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

February 28, 2011

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

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 Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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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