

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: HB613 by Hopson (Relating to the unauthorized harvesting of standing timber; providing for the imposition of a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Natural Resources Code as it relates to the unauthorized harvesting of standing timber by creating a new offense. Under the provisions of the bill, punishment options for unauthorized harvesting of standing timber 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 harvested 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 harvested 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 harvested 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 harvested is at least \$200,000.

Expanding the list of behaviors for which a penalty is applied for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or longer terms of confinement in county jail, state jail or prison. It is expected that individuals who would be affected under the provisions of this bill are currently being sentenced for other offenses.

The bill would take effect on September 1, 2011 and apply to offenses committed on or after that date.

Local Government Impact

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

Source Agencies:

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