

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 17, 2011

TO: Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB2164 by Scott (Relating to the prosecution of the offense of barratry and solicitation of professional employment.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the prosecution of the offense of barratry and solicitation of professional employment. The bill would remove conditions related to written communication including a solicitation of professional employment provided or permitted to be provided by specified licensed professionals (an attorney, chiropractor, physician, surgeon, or private investigator, or any person licensed, certified, or registered by a health care regulatory agency). Such behavior is currently punishable as a felony of the third degree if the defendant has been previously convicted; otherwise it is punishable as a Class A Misdemeanor.

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

For this analysis, it is assumed the number of offenders convicted under this statute 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:

LBB Staff: JOB, JT, GG, ADM