

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

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

**May 9, 2011**

**TO:** Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: SB348** by Estes (Relating to the sale or delivery of salvia divinorum or Salvinorin A to a child; providing a penalty.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code to create a Class C misdemeanor offense for the act of selling salvia divinorum, Salvinorin A, or a product containing salvia divinorum or Salvinorin A to a person younger than 18 years of age or to a person who intends to deliver it to a person younger than 18 years of age.

A Class C misdemeanor is punishable by a fine not to exceed \$500. Costs associated with enforcement and prosecution, and revenue gain from fines imposed and collected would vary depending on the number of offenses and the amount of fines imposed; however, those amounts are not anticipated to be significant.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** JOB, ESi, TP