

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

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

**May 20, 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; providing a penalty. ), **Committee Report 2nd House, Substituted**

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

The bill would amend the Penal Code to create a Class A misdemeanor offense for the act of selling, delivering, or causing to be sold, salvia divinorum, Salvinorin A, or a product containing salvia divinorum or Salvinorin A to another person.

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement, 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