

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: SB843 by Patrick (Relating to the prosecution of the offense of failure to identify.), As
Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to add that a person commits the offense of failure to identify if the person refuses to provide the information requested by a peace officer when the person has been lawfully arrested or placed under restraint pursuant to a lawful detention. The offense would be a Class C misdemeanor. Provisions of the bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2011.

Under current statute, the requirement to provide requested information to a peace officer applies if the person has already been arrested on another offense.

A Class C misdemeanor is punishable by a fine not to exceed \$500.

Local Government Impact

Costs associated with enforcement and revenue gain from fines would vary depending on the number of offenses and the amount of the fine imposed; however, it is not anticipated to be significant.

Source Agencies:

LBB Staff: JOB, TP, ESi