

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

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

**April 1, 2011**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**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 Introduced**

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| <p><b>No significant fiscal implication to the State is anticipated.</b></p> |
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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 is lawfully detained. 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, ESi, TP