

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 21, 2011

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB1416 by Hinojosa (Relating to the creation of the offense of possession, manufacture, transportation, repair, or sale of a tire deflation device; providing criminal penalties.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to create the offense of possession, manufacture, transportation, repair, or sale of a tire deflation device and as it relates to the punishment for the offense of evading arrest. Under the provisions of the bill, intentionally or knowingly possessing, manufacturing, transporting, repairing or selling a tire deflation device would be punishable as a state jail felony. Under the provisions of the bill, using a tire deflation device against an officer while evading arrest or detention would be third degree felony and causing serious bodily injury to another as a result of using a tire deflation device while evading arrest or detention would be a second degree felony. Using a vehicle to evade arrest or detention with no previous conviction for evading arrest or detention is currently a state jail felony and using a vehicle to evade arrest or detention with a previous conviction for evading arrest or detention is a third degree felony. Under the provisions of the bill, using a vehicle to evading arrest or detention would be a third degree felony with or without a previous conviction for evading arrest or detention.

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

Expanding the list of behaviors for which a penalty is applied for any criminal offense or creating a penalty for any criminal offense is expected to result in increased demands upon the correctional resources of counties or of the State due to longer terms of probation, or, longer terms of confinement in county jails or prison. However, in the case of this bill, it is assumed the number of offenders convicted under these provisions 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, SD, GG, LM, ESi