

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 30, 2013**

**TO:** Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB184** by Dutton (Relating to the penalties for possession of one ounce or less of marihuana or a synthetic cannabinoid by certain defendants.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would provide that a defendant convicted of a Class B misdemeanor under Section 481.1161 or Section 481.121, Health and Safety Code, would instead be punished with a Class C misdemeanor if: the defendant was younger than 21 at the age of commission of the offense; the amount of the controlled substance was one ounce or less; the defendant had not been previously convicted of a similar offense; and the defendant agrees to complete a drug abuse program. If the defendant fails to complete the drug abuse program in a timely fashion, the court would impose the punishment otherwise required by statute.

**Local Government Impact**

The Texas Association of Counties reported that El Paso County anticipates some increased burden on the court system associated with requiring courts to keep track of defendant's enrollment and completion of drug abuse programs. Any fiscal impact to counties would be negative but is not anticipated to be significant.

**Source Agencies:**

**LBB Staff:** UP, ESi, KKR