

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 15, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB544 by Kleinschmidt (Relating to the punishment for theft offenses involving certain metals.), **As Introduced**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to the exact value of metals stolen by those convicted of metal theft.

The bill would amend the Penal Code as it relates to the punishment for theft offenses involving certain metals. Under the provisions of the bill, theft of certain metals would be punishable as a state jail felony if the value of the metals stolen was greater than or equal to \$500 but less than \$20,000. Under current statute, theft of certain metals is punishable as a state jail felony if the value of the metals stolen is less than \$20,000.

Narrowing the range of pecuniary loss for theft of certain metals is expected to result in decreased demands upon the correctional resources of counties or of the state due to shorter terms of probation, or shorter terms of confinement in county jail, state jail, or prison. The bill may have a positive fiscal impact by decreasing the number of people on felony community supervision or incarcerated within state jail for theft of certain metal whose values represent smaller amounts of pecuniary loss. Whether the bill would result in a significant amount of savings to the state is indeterminate due to a lack of statewide data on the exact value of metals stolen by those convicted of the theft of certain metals. At present data do not exist that would enable the identification of those cases in which the value of certain metals stolen was less than \$500 from all other theft of certain metals cases.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, ESi, GG, LM