

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 12, 2013

TO: Honorable Brandon Creighton, Chair, House Committee On Federalism & Fiscal Responsibility, Select

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB553 by Otto (Relating to firearms and the preservation of the Second Amendment to the United States Constitution; providing penalties.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would make it an offense for a peace officer, state officer, or state employee to enforce, while acting under color of the person's office or employment, any federal regulations relating to confiscation of any firearms, banning any firearm, limiting the size of a magazine for any firearm, imposing any limit on the ammunition that may be purchased for any firearm, taxing any firearm or ammunition, or requiring registration of any firearm or ammunition. An offense under this subsection would be a Class B misdemeanor.

The bill would create an offense for a public servant who engages in similar enforcement; an offense under this subsection would be a Class A misdemeanor.

The bill would also require the Texas Department of Public Safety to immediately report to the governor, attorney general, and the legislature any attempt by the federal government to implement or enforce any gun control law described above.

Local Government Impact

The bill creates Class A and Class B misdemeanors. Costs associated with enforcement, prosecution and confinement, and revenue gain from fines imposed and collected, would vary depending on the number of offenses but are not anticipated to have a significant fiscal impact.

Source Agencies: 302 Office of the Attorney General, 405 Department of Public Safety

LBB Staff: UP, SZ, SD, KKR