

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 12, 2013

TO: Honorable Patricia Harless, Chair, House Committee on Environmental Regulation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB555** by Callegari (Relating to certain criminal offenses for violations of the law regulating metal recycling entities.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 1956, Occupations Code, regarding metal recycling entities, enhancing the penalty for the violation of Sections 1956.021, 1956.023(d), 1956.036(a), or 1956.039 to a Class A misdemeanor, with a fine not to exceed \$10,000 and possible jail time of one year. However, if it is shown at trial that the person was previously convicted, then the offense is a state jail felony. The bill would also specify that the law applies to offenses committed on or after the date the law takes effect.

The bill would reduce the criminal penalty under 1956.003 from a Class B misdemeanor to a Class C misdemeanor, unless the offense also constitutes an offense under another section of the same chapter, in which case the existing section rules.

Local Government Impact

A Class A Misdemeanor is punishable by confinement in county jail for a term not to exceed one year and/or a fine not to exceed \$4,000. A Class C misdemeanor is punishable by a fine of not more than \$500.

Costs associated with enforcement and prosecution could likely be absorbed within existing resources. New revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
Department of Public Safety, 304 Comptroller of Public Accounts

LBB Staff: UP, SZ, AI, YD, KKR