

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 12, 2013

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB793 by Lozano (Relating to the prosecution and punishment of the smuggling of persons.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the offense of smuggling of persons. The bill adds assists, guides, or directs three or more individuals to enter or remain on agricultural land without the effective consent of the owner to the definition of this offense. Under current law smuggling of persons is a state jail felony or third degree felony, depending upon the circumstances. The bill also adds to the circumstances that make the offense a third degree felony that a person involved in the offense knowingly possessed a firearm.

Expanding the list of behaviors for which a penalty is applied for any criminal offense is expected to increase demands on state correctional agency resources due to more individuals serving terms of community supervision, state correctional institution confinement, and/or parole. However, in the case of the bill, it is assumed that the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, AG, GG, JPo