

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 1, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2849 by White (Relating to the punishment for certain offenses against property or against public administration.), **Committee Report 1st House, Substituted**

The probable fiscal impact of implementing the bill is expected to be positive but it is indeterminate due to the unavailability of reliable data or information related to the exact amount of pecuniary loss for certain offenses against property of public administration.

The bill would amend the Penal Code and Code of Criminal Procedure as they relate to the punishment for certain offenses against property or against public administration. Under the provisions of the bill, the pecuniary loss amounts aligned with certain punishment ranges would be increased. The bill would also expand the punishment range for fraudulent transfer of a motor vehicle to include additional felony punishments.

Increasing the amount of pecuniary loss aligned with certain punishment ranges 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 correctional institutions. 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 amount of pecuniary loss for those convicted of certain offenses against property or against public administration.

Expanding the punishment range for fraudulent transfer of a motor vehicle to include additional felony punishments is expected to result in increased demands upon the correctional resources of counties or of the state due to longer terms of probation, or longer terms of confinement in county jail, state jail, or prison. For this provision it is assumed the number of offenders convicted would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, ESi, GG, LM