

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 18, 2013**

**TO:** Honorable John Whitmire, Chair, Senate Committee On Criminal Justice

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB821** by Schwertner (Relating to the prosecution of certain criminal offenses involving theft or involving fraud or other deceptive practices.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend sections of the Penal Code relating to the offenses of theft and fraud by changing references to “check”, “check or similar sight order”, “check or sight order” and “check or order” to “payment device” as it is defined in the Business and Commerce Code. The offenses of theft and fraud are punishable by a Class C misdemeanor, a Class B misdemeanor, a Class A misdemeanor, a state jail felony, a third degree felony, a second degree felony, or a first degree felony, depending on the amount or circumstances involved in the offense. The bill would take effect on September 1, 2013, and only applies to offenses committed on or after that date.

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:** 212 Office of Court Administration, Texas Judicial Council, 304  
Comptroller of Public Accounts

**LBB Staff:** UP, ESi, GG, JPo, JJO