

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 7, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB325** by Wu (Relating to the prosecution of and penalties for possession of 0.35 ounces or less of marihuana.), **As Introduced**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code, Code of Criminal Procedure and Health and Safety Code to reclassify an offense of possession of marihuana from a Class B misdemeanor to a Class C misdemeanor if the amount in possession 0.35 ounces or less. Under the provisions of the bill, if the offense was committed on or near school grounds, the offense would be a Class B misdemeanor. The bill would prescribe punishment for an individual that has been previously convicted of certain offenses three times and each offense was committed in a certain period of time.

Local Government Impact

A Class C misdemeanor is punishable by a fine of not more than \$500. Offenders with an aggregate weight of 0.35 ounces or less of marihuana would pay fees rather than spend time in county jails, creating a savings to counties.

Savings to counties would vary depending on the number of future cases, number of repeat offenders, and the total weight of the controlled substance in each case.

Source Agencies:

LBB Staff: UP, KJo, SD, EK