

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 14, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB910 by Phillips (Relating to the authority of a person who is licensed to carry a handgun to openly carry a holstered handgun; creating a criminal offense; providing penalties; amending provisions subject to a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend various codes to authorize individuals to obtain a license to carry openly a holstered handgun in all the places that allow the licensed carrying of a concealed handgun. The bill would proscribe a police officer from making an investigatory stop to inquire whether an individual possesses a handgun license solely because the individual is carrying a visible handgun in a holster. The bill would amend the Government Code to authorize the Department of Public Safety to issue a license to carry an unconcealed holstered handgun, using the same criteria currently in place for a concealed handgun license.

The bill would also amend certain provisions subject to a criminal penalty. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

It is assumed implementing the provisions of the bill could be absorbed within current appropriation levels. The bill would take effect January 1, 2016.

Local Government Impact

The bill would create new misdemeanor offenses. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. A Class C misdemeanor is punishable by a fine of not more than \$500. In addition to the fine, punishment can include up to 180 days of deferred disposition. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 405 Department of Public Safety

LBB Staff: UP, JAW, JPo, ESi, AI, SD, KVe, AG