

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 14, 2015

TO: Honorable Drew Darby, Chair, House Committee on Energy Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3291** by Raymond (relating to increasing the punishment for certain offenses involving oil, gas, or condensate or equipment designed for the exploration or production of oil and gas; creating an offense.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to enhance the criminal punishment for certain thefts related to oil and gas and oil and gas equipment. Under current law, the thefts applicable to the bill are prosecuted as a state jail felony, third degree felony, or second degree felony depending on the circumstances of the offense. The bill's provisions indicate all of the applicable offenses would be prosecuted as a second degree felony, unless the offense was committed under certain circumstances, in which it would be prosecuted at a first degree felony.

The bill would amend the Natural Resources Code to create a new second degree felony offense related to purchasing certain oil and gas-related products without applicable tenders or permits. The bill would also enhance the punishment for a current oil and gas related offense from a third degree felony to a second degree felony.

The Railroad Commission of Texas estimates approximately 30-60 offenses subject to the bill's theft-related provisions occur per year. Increasing the penalty for any criminal offense and creating an offense are expected to result in increased demands upon the state correctional resources. However, due to the limited estimated number of offenses applicable to the bill's provisions, this analysis assumes the provisions of the bill would not result in a significant impact on state correctional agencies.

Local Government Impact

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

Source Agencies: 455 Railroad Commission

LBB Staff: UP, SZ, LM, ESi, MW, TB