

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATURE 1st CALLED SESSION - 2017

August 9, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB382 by Martinez, "Mando" (Relating to prohibiting the reckless discharge of a firearm; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to prohibiting the reckless discharge of a firearm. Under the provisions of the bill, a person who knowingly discharges a firearm and is reckless in regard to lacking a reasonable target at the time of discharge would commit a criminal offense.

The Office of Court Administration, the Texas Parks and Wildlife Department, and the Texas Department of Criminal Justice indicate the provisions of the bill could be implemented within existing resources.

This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources. The bill would take effect on December 1, 2017.

Local Government Impact

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. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696
Department of Criminal Justice, 802 Parks and Wildlife Department

LBB Staff: UP, KJo, LM, ZB, SD, JGA