

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 29, 2017**

**TO:** Honorable Gary Elkins, Chair, House Committee on Government Transparency & Operation

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

**IN RE: HB9** by Capriglione (Relating to cybercrime; creating criminal offenses.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Penal Code relating to computer crimes to create the offenses of electronic access interference, electronic data tampering, and unlawful decryption. The bill also would provide for criminal penalties for these offenses and certain defenses to prosecution.

According to the Office of Court Administration, any increased caseload would likely be absorbed within existing resources. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant fiscal impact on state correctional agencies.

The bill would take effect September 1, 2017 and would apply only to an offense committed on or after the effective date of the Act.

**Local Government Impact**

According to the Texas Association of Counties, the fiscal impact to counties is not anticipated to be significant.

A Class A misdemeanor is punishable by the 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

**LBB Staff:** UP, LBO, LM, AKU, RC