

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 14, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1551 by Krause (relating to the creation of a commission to review certain penal laws of this state and certain recommendations regarding those laws, to criminal offenses previously compiled in statutes outside the Penal Code, to repealing certain of those offenses, and to conforming punishments for certain of those offenses to the penalty structure provided in the Penal Code; increasing the punishment for sabotage and sedition; imposing a civil penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend various codes as they relate to criminal offenses and penalties. Under the provisions of the bill, a Commission to Study Certain Penal Laws would be established to study and review certain state penal laws and make recommendations to the legislature. The commission would also be required to review the recommendations made by the previous commission. The bill would make several amendments to current criminal offenses under the Business & Commerce Code, Code of Criminal Procedure, Government Code, Local Government Code, Natural Resources Code, Occupations Code, Parks and Wildlife Code, Penal Code, Tax Code, and Utilities Code. The amendments would include the transfer of certain provisions related to punishment to the Penal Code from other sections of statute, changes to punishments for certain offenses, and the repeal of certain offenses outside of the Penal Code. The bill would also create a civil penalty under the Occupations Code as it relates to auctioneers for instituting, for personal gain or to harm another, a claim that the person knows that he or she has no interest in, or instituting a frivolous suit or claim that he or she knows is false. The commission would be required to report its findings and recommendations to the legislature no later than November 1, 2018 and would be abolished December 31, 2018. The bill would take effect September 1, 2017 and the provisions related to offenses would apply only to offenses committed on or after the effective date of the Act.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 696 Department of Criminal Justice, 802
Parks and Wildlife Department

LBB Staff: UP, KJo, LM, AKU, MWI