

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1935** by Frullo (Relating to the carrying of certain knives; creating a criminal offense.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the punishment for certain weapons offenses involving a knife. Under the provisions of the bill, the term illegal knife would be replaced with the term location-restricted knife, it would be defined as a knife with a blade over five and one-half inches, and its possession in certain places would be prohibited. The punishment for carrying a knife in places where it is prohibited would be reduced from a third degree felony to a Class C misdemeanor in certain circumstances. The bill also expands the number of places where carrying a certain type of knife is prohibited, and makes carrying a knife in these places a third degree felony.

The Office of Court Administration does not anticipate a significant fiscal impact. 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 September 1, 2017 and apply only to an offense committed on or after the effective date of the Act.

Local Government Impact

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

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact. In addition to the fine, punishment can include up to 180 days of deferred disposition.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, LM, JPo, JGA