

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 3, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1790 by Taylor, Van (Relating to the punishment for the offense of fraudulent destruction, removal, or concealment of a writing that is attached to tangible property.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the punishment for the offense of fraudulent destruction, removal, or concealment of a writing that is attached to tangible property. Under the provisions of the bill, fraudulent destruction, removal, or concealment of writing attached to tangible property for sale would be a criminal offense.

The Office of Court Administration and the Texas Department of Criminal Justice do 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 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. A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, 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. 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, 696
Department of Criminal Justice

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