

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 30, 2019

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB37 by Minjarez (relating to the creation of the criminal offense of mail theft.),
Committee Report 1st House, Substituted

The probable fiscal impact of implementing the bill is indeterminate due to the lack of information on the number of persons to which the mail was addressed, whether the addressee was a disabled or elderly individual, or of if the mail was stolen with the intent to commit another offense. This information is necessary to identify the cases affected by the provisions of the bill from all other theft of property cases.

The bill would amend the Penal Code to create the criminal offense of mail theft. Under the provisions of the bill, mail theft would be punishable on varying misdemeanor and felony levels depending on the number of addressees. The offense would be enhanced to the next higher category of offense if the addressee was a disabled or elderly individual or if it was shown at trial the mail was stolen with the intent of using the contents to commit another offense. Creating a criminal offense is expected to result in additional demands on the correctional resources of the counties or of the State due to an increase in individuals placed under supervision in the community, sentenced to terms of confinement in state correctional institutions, or placed under parole supervision. Whether the bill would result in a significant fiscal impact is indeterminate due to the lack of information on the number of persons the number of persons to which the mail was addressed, whether the addressee was a disabled or elderly individual, or whether the mail was stolen with the intent of using the contents to commit another offense. The Office of Court Administration indicates the modifications made by the bill would not result in a significant fiscal impact to the state court system. The Comptroller of Public Accounts indicates the fiscal impact to the state cannot be determined.

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, 304
 Comptroller of Public Accounts, 696 Department of Criminal Justice

LBB Staff: WP, LBO, LM, SPa, AF

