

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 24, 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.), As
Introduced

The probable fiscal impact of implementing the bill is indeterminate due to the lack of data or information available on the aggregate count of pieces of mail sent through a common carrier and the number of persons to which the mail was addressed to be isolated from all other theft of property cases. These data are necessary to estimate the fiscal impact of the bill's enhancement provision.

The bill would amend the Penal Code to create a state jail felony offense for mail theft which can be enhanced based on the aggregate count of pieces of mail and certain other conditions.

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. The bill may have a negative fiscal impact by increasing the number of people on felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to the lack of information on the aggregate count of pieces of mail sent through a common carrier and the number of persons to which the mail was addressed. The Office of Court Administration and the Texas Department of Criminal Justice indicate the bill's modifications will not result in a significant fiscal impact. The Comptroller of Public Accounts indicates the fiscal impact to the state cannot be estimated.

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

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