

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 24, 2019**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

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

**IN RE: HB302** by Paul (Relating to the carrying, storage, or possession of a firearm or firearm ammunition by certain persons on certain residential or commercial property.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code and the Property Code to provide additional defenses to prosecution for Criminal Trespass for certain actions relating to the carrying, storage, or possession of a firearm or firearm ammunition by certain persons on certain residential or commercial property. The offense of Criminal Trespass may be variously a Class A, B, or C misdemeanor.

**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. 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. A Class C misdemeanor is punishable by a fine of not more than \$500. In addition to the fine, punishment can include up to 180 days of deferred disposition.

According to the Texas Association of Counties, the bill is not anticipated to have a significant impact on counties.

Lost revenue from reduced fines imposed and collected is not anticipated to have a significant fiscal impact.

**Source Agencies:**

**LBB Staff:** WP, CMa, SD, GP, SLE, LBO