

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

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

**February 25, 2019**

**TO:** Honorable Poncho Nevárez, Chair, House Committee on Homeland Security & Public Safety

**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 Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code to provide an additional defense 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, LBO, SD, GP