

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

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

**March 3, 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: HB760** by Wu (Relating to the punishment for the criminal offense of theft involving a package delivered to or collected from a residential or commercial property; increasing a criminal penalty.), **As Introduced**

**The probable fiscal impact of implementing the bill is indeterminate due to the lack of data or information available that would allow for those theft of property cases involving a package whose value was less than \$2,500 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 increase the criminal penalty for certain offenses related to theft of packages. Certain theft offenses where the pecuniary value of the item stolen was less than \$2,500 would now be punished by a state jail felony. Under current statute, theft of property where the value is \$2,500 but less than \$30,000 is punished by a state jail felony.

Increasing the criminal penalty for any criminal offense is expected to result in additional demands upon the correctional resources of counties or of the State due to longer terms of supervision in the community or longer terms of confinement in state correctional institutions. The bill may have a negative population 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 number of times a package was delivered or was to be collected whose value is less than \$2,500 was stolen from a residential or commercial property.

**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

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