

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 7, 2019

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

IN RE: HB869 by Hefner (Relating to the prosecution of organized criminal activity involving the interception, use, or disclosure of certain communications.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the offense of the unlawful interception, use, or disclosure of certain communications. Under the provisions of the bill, the offense of the unlawful interception, use, or disclosure of certain communications would be enhanced to the next higher category if it was committed with the intent to participate in a criminal street gang. The unlawful interception, use, or disclosure of certain communications is currently punishable by a state jail or second degree felony with the punishment based on the specific circumstances of the offense.

The Office of Court Administration indicates the modifications outlined in the bill's provisions would not result in a significant fiscal impact. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional populations or the demand for state correctional resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, LBO, LM, JPo