

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 12, 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: HB888 by Landgraf (Relating to creating the criminal offense of misrepresenting a child as a family member at a port of entry and providing certain benefits to the misrepresented child.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to create a new offense of misrepresenting a child as a family member at a port of entry. The offense created by this bill would be a Class B misdemeanor. The bill would also require the Health and Human Services Commission (HHSC) to ensure that a child who is used in the commission of the new offense be provided Medicaid benefits to the extent permitted by federal law. The bill would take effect September 1, 2019.

According to the Office of Court Administration, any increased workload would likely be absorbed by existing resources. No significant fiscal impact on the state court system is anticipated. According to HHSC, the bill would not have a significant fiscal impact to the Medicaid program. Federal law does not allow Medicaid benefits for non-citizens with limited exceptions. It is assumed the number of instances where Medicaid benefits would be provided would be small and any cost would be minimal and could be absorbed within the available resources of the agency.

Local Government Impact

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. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission

LBB Staff: WP, CMa, LR, MDI, AF, SD, GP, DA