

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 6, 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: **HB2369** by Miller (Relating to the punishment for, and civil liability related to actions to prevent, the criminal offense of theft involving a package delivered to a residential or commercial property; increasing criminal penalties.), **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 and the specific value of that package 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. The bill would also enhance felony level punishment for this offense based on the number of previous package theft convictions and the pecuniary value of the item stolen.

Increasing the criminal penalty for any criminal offense or enhancing the punishment for any 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 within state correctional institutions. The bill may have a negative population impact by increasing the number of people under 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 whose value is less than \$2,500 was stolen from a residential or commercial property and the number of times package theft was enhanced based on the number of previous package theft convictions.

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, SPa