LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 16, 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: **HB2625** by Perez (Relating to creating the criminal offense of fraudulent use or possession of credit card or debit card information.), **As Engrossed**

The probable fiscal impact of implementing the bill is indeterminate due to the lack of statewide data related to the specific circumstances involved in fraudulent use or possession of credit card or debit card information. These data are necessary to determine the fiscal implications of the prescribed punishment levels.

The bill would amend the Penal Code as it relates to fraud. Under the provisions of the bill, a new offense would be created for fraudulent use or possession of credit card or debit card information. The punishment level would range from a state jail felony through a first degree felony, with the degree of penalty based on the number of items obtained, possessed, transferred, or used. The offense could be punished, where applicable, under existing statute, the proposed statute, or both.

Creating a new offense is expected to result in additional demands upon the correctional resources of the counties and of the State due to more persons placed under community supervision or admitted into state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people under felony community supervision or incarcerated within state correctional institutions. Whether the bill would have a significant fiscal impact is indeterminate due to a lack of statewide data which could be used to distinguish credit or debit card fraud in general from the particular type of fraud addressed in the provisions of the bill.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies:

LBB Staff: WP, LBO, LM, DGi