

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 22, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

IN RE: HB3082 by Murphy (Relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to lower the culpable mental state for the offense of operation of an unmanned aircraft over a correctional facility, detention facility, or critical infrastructure facility from "intentionally or knowingly" to "with criminal negligence." The bill would modify the definition of critical infrastructure as it relates to the offense. The bill would require a peace officer who investigates the offense to notify the Department of Public Safety (DPS) of the investigation and would permit DPS to require further information from the officer as DPS determines necessary. The offense expanded by this bill would be a Class A or a Class B misdemeanor.

According to the Office of Court Administration (OCA), no significant impact to the state court system is anticipated.

It is assumed that the provisions of the bill relating to reports required by this bill could be absorbed using existing resources.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, 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.

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.

According to OCA, no significant impact to local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405

Department of Public Safety

LBB Staff: WP, LBO, SD, GP