

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 21, 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: HB3557 by Paddie (Relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.), **As Passed 2nd House**

The probable fiscal impact of implementing the bill is indeterminate due to the lack of data or information available on the number of times a person damaged, intended to damage, or tried to interfere with the operations of a critical infrastructure facility. These data are necessary to estimate the fiscal impact of the bill's provisions.

The bill would amend the Government Code to create a criminal offense punishable as a third degree felony for a person who, without the consent of the owner, intentionally or knowingly damages or destroys a critical infrastructure facility or who intentionally or knowingly impedes, inhibits, or interferes with the operation of a critical infrastructure facility. If the person enters or remains on or in the facility with the intent to commit these actions, the offense is punishable as a state jail felony.

The bill would create a criminal misdemeanor offense, punishable by a fine not to exceed \$10,000 or confinement in jail not to exceed one year, for a person who knowingly impairs or interrupts the operation of a critical infrastructure facility. If the person enters or remains on or in the facility with the intent to commit these actions, the offense is punishable as a Class A misdemeanor.

Creating a criminal 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 in state correctional institutions. The bill may have a negative fiscal impact by increasing the number of people on 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 person committed these actions against a critical infrastructure facility. Additional information is available in the Criminal Justice Impact Statement.

According to the Comptroller on Public Accounts, the fiscal impact to the state cannot be estimated. The Office of Court Administration does not anticipate a significant impact to the state court system.

Local Government Impact

According to the Office of Court Administration, no significant fiscal implication to the local court system is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 696 Department of Criminal Justice,
212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SPa, SZ, MW, DA, SLE, LM, LCO