

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 1, 2019**

**TO:** Honorable Bob Hall, Chair, Senate Committee on Agriculture

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

**IN RE:** **SB1884** by Kolkhorst (Relating to the protection of animal and crop facilities; creating a criminal offense.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Agriculture Code to create a criminal offense for intentional damages, theft, breaking and entering, or possession of records or equipment without consent for animal or crop facilities. The bill provides definitions for this offense and provides that the offense would be a Class B misdemeanor if the loss caused to a facility is less than \$2,500 or a Class A misdemeanor if the loss is \$2,500 or more. The bill would require a court to order a convicted defendant to pay restitution to a facility owner or operator in certain amounts that would be enforceable by the state and permits the facility owner or operator to seek injunctive relief against a person that engages in this conduct.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources and there would not be a significant impact to revenue from court costs associated with this additional criminal offense. In addition, this analysis assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

**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. 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.

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

**LBB Staff:** WP, SZ, GDz, JPo, AF