

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

**FISCAL NOTE, 87TH LEGISLATURE 3rd CALLED SESSION 2021**

**October 18, 2021**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB5** by Lucio (relating to the unlawful restraint of a dog; creating a criminal offense.), **Conference Committee Report**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would repeal and replace the Health and Safety Code subchapter addressing the unlawful restraint of dogs. A first time offense would be a Class C misdemeanor and any repeat violations would be classified as a Class B misdemeanor.

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

**Local Government Impact**

According to the Texas Association of Counties, the bill is anticipated to have no significant fiscal implication to counties.

A Class C misdemeanor is punishable by a fine of not more than \$500. In addition to the fine, punishment can include up to 180 days of deferred disposition. 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.

**Source Agencies:** 212 Office of Court Admin

**LBB Staff:** JMc, LBO, DKN, CMA, AF