

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 11, 2021**

**TO:** Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

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

**IN RE: HB138** by Landgraf (Relating to the punishment for certain conduct constituting the offense of disorderly conduct; increasing a criminal penalty for certain conduct.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Penal Code to increase the penalty for a specific type of disorderly conduct from a Class C misdemeanor to a Class B misdemeanor

According to the Office of Court Administration, while the bill would move an offense from the justice and municipal courts to the county courts, the volume from this offense is anticipated to be low and absorbed with existing resources. Therefore, no significant impact to the state court system is anticipated.

This analysis assumes the provisions of the bill would not result in a significant impact on state correctional agencies.

**Local Government Impact**

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, 696 Department of Criminal Justice

**LBB Staff:** JMc, DKN, CMA, ANE