

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 18, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB670 by Martinez (Relating to prohibiting the reckless discharge of a firearm; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to assaultive offenses. Under the provisions of the bill, the knowing discharge of a firearm when the actor did not have an intended target or was reckless with respect to an intended target would be punishable as a Class A misdemeanor or as a second degree felony, depending on the circumstances of the offense.

The Office of Court Administration indicates any impact to the state court system would likely be absorbed by existing resources. The Department of Public Safety and the Department of Criminal Justice indicate the modifications outlined in the bill's provisions would not result in a significant fiscal impact. The Comptroller of Public Accounts indicates the fiscal impact on the state cannot be estimated. This analysis assumes implementing the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

Local Government Impact

The offense created by the bill would be a Class A misdemeanor. 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 Admin, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 696 Department of Criminal Justice

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