

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: HB799 by Rosenthal (Relating to prohibiting carrying a firearm while intoxicated; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would repeal the Penal Code provision making it a Class A misdemeanor offense for a license holder to carry a handgun while intoxicated regardless of whether holstered or concealed, but make it a Class C misdemeanor offense for an intoxicated person to carry a firearm in a public place.

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

Local Government Impact

According to the Texas Association of Counties, no significant fiscal impact to counties is anticipated.

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. 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. Lost revenue from reduced fines imposed and collected as a result of eliminating the Class A misdemeanor is not anticipated to have a significant fiscal impact, nor is any revenue gain from fines imposed and collected as a result of creating the Class C misdemeanor.

Source Agencies: 212 Office of Court Admin, 304 Comptroller of Public Accounts, 405 Department of Public Safety

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