

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

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

**April 8, 2021**

**TO:** Honorable James White, Chair, House Committee on Homeland Security & Public Safety

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

**IN RE: HB880** by Hinojosa (Relating to a false or misleading statement made to illegally acquire a firearm; creating a criminal offense.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB880, As Introduced : a negative impact of (\$4,197,922) through the biennium ending August 31, 2023.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$2,578,719)
2023	(\$1,619,203)
2024	(\$1,619,203)
2025	(\$1,917,144)
2026	(\$1,619,203)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$2,578,719)	10.0
2023	(\$1,619,203)	10.0
2024	(\$1,619,203)	10.0
2025	(\$1,917,144)	10.0
2026	(\$1,619,203)	10.0

**Fiscal Analysis**

The bill would amend various codes as they relate to the unlawful transfer of certain weapons. Under the provisions of the bill, knowingly making a false or misleading statement for purposes of illegally acquiring a firearm would be punishable as a state jail felony, a licensed firearms dealer who declines the transfer of a weapon in certain circumstances would be required to notify the Department of Public Safety (DPS), and upon such notification, DPS would be required to initiate an investigation.

**Methodology**

Expanding the set of behaviors for which a criminal penalty is applied is expected to result in additional demands upon the correctional resources of counties or of the State due to an increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

To comply with the new requirements DPS estimates the need for 10 additional full-time equivalent (FTE) positions (7 Criminal Investigation Division Public Safety Sergeant FTEs) to conduct potential investigations associated with implementing the bill's investigation provisions and 3 for program support (1 Program Specialist V, 1 Criminal Intelligence Analyst III, and 1 Program Specialist V). According to DPS these commissioned FTEs along with program support will be assigned across the state. DPS estimates the cost for the additional workload requirements, including benefits, at \$4,197,922 for the 2022-2023 biennium.

The Office of Court Administration indicate the modifications outlined in the bill's provisions will not result in a significant fiscal impact.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 405 Department of Public Safety

**LBB Staff:** JMc, DKN, LM, DGI