

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1400 by Swanson (Relating to the creation of the criminal offense of impersonating a private investigator.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Occupations Code as it relates to creating the criminal offense of impersonating a private investigator. Under the provisions of the bill, a person who impersonates a private investigator as outlined in the bill would commit a Class A misdemeanor which could be enhanced to a third degree felony if the defendant was previously convicted of impersonating a private investigator.

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

No significant fiscal impact to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, DKN, LM, SPA, AF