

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 19, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1856 by Hefner (Relating to carrying and storing a firearm or firearm ammunition by a hotel guest.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations and Penal Codes as they relate to carrying and storing a firearm or firearm ammunition by a hotel guest to prohibit a hotel from adopting a certain firearms policy and to provide additional defenses to prosecution for offenses related to criminal trespass. The criminal trespass offenses may be variously a Class A, B, or C misdemeanor.

This analysis assumes that any costs associated with the bill could be absorbed using existing resources and that implementing the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies. The Office of Court Administration anticipates no significant fiscal impact to the state court system.

Local Government Impact

According to Texas Association of Counties, no significant fiscal implication 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 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. 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 is not anticipated to have a significant fiscal impact.

Source Agencies: 212 Office of Court Admin

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