

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: HB3205 by Ellzey (Relating to increasing the criminal penalty for committing certain offenses while wearing a mask or military-style gear.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code to increase the punishment for certain offenses committed while wearing a mask or military-style clothing from the punishment prescribed for the conviction to the next higher category of offense. The enhancement would apply only if the conviction is for the Class C or B misdemeanor offense of disorderly conduct, rioting punishable as a Class B misdemeanor, or the Class C misdemeanor offense of obstructing a highway or other passageway.

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

Local Government Impact

No significant fiscal impact to local government is anticipated.

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. 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 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 confinement as a result of the enhancement could likely be absorbed within existing resources, and 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

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