

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 2, 2021

TO: Honorable Nicole Collier, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4282 by Morales Shaw (Relating to creating the criminal offense of possession of an animal by a person convicted of multiple offenses involving animal cruelty and to conditions of punishment and community supervision for defendants convicted of certain criminal offenses involving animals.),
Committee Report 1st House, Substituted

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to create the criminal offense of possession of an animal by a person convicted of multiple offenses involving animal cruelty. The offense would be punishable as a Class C misdemeanor for a first-time offender and punishable as a Class B misdemeanor for a repeat offender. The bill would also require a court to order a person convicted of the offense to relinquish custody permanently of any animals in the person's possession, and, if the court grants community supervision for the offense, to relinquish custody of any animals in the person's possession and not possess or exercise control over any animals or reside in a household where animals are present as conditions of community supervision.

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

Local Government Impact

No significant fiscal implication to units of 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. 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.

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

LBB Staff: JMc, DKN, CMA, ANE