

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

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 18, 2023**

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

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

**IN RE: HB4164** by Cortez (Relating to the improper use and treatment of an assistance animal or service animal; increasing a criminal penalty.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would increase the maximum fine for the misdemeanor offense of improper use of assistance animals and expand the conduct constituting the offense to include intentionally or knowingly representing that an animal is an assistance animal or a service animal when the animal is not specifically trained or equipped to help a person with a disability.

It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant. While it is assumed that any state revenue impact would not be significant, it would be dependent on the number of offenses committed and the associated court costs.

**Local Government Impact**

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

**LBB Staff:** JMc, DDel, LBO, ESch