

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 2, 2023

TO: Honorable Ryan Guillen, Chair, House Committee on Homeland Security & Public Safety

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4642 by Guillen (Relating to offenses involving the manufacture or delivery of certain controlled substances and the enforcement and prevention of those offenses; creating a criminal offense.),
Committee Report 1st House, Substituted

The fiscal implications cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be a criminal offense and would be dependent on the number of offenses committed and the subsequent penalties.

The bill would create the first degree felony offense of lethal opioid poisoning for the manufacture, delivery, or trafficking of a Penalty Group 1B controlled substance which results in the death of an individual as a result of injecting, ingesting, inhaling, or introducing the controlled substance into the individual's body.

The bill would establish a fentanyl offenses task force to compile data on criminal activity related to the manufacture or delivery of fentanyl and submit to the governor and the Department of Public Safety a report on its findings. The task force would be abolished on December 1, 2024.

The fiscal impact and impact on state correctional populations or on the demand for state correctional resources related to the criminal offense cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions and would be dependent on the number of offenses committed and the subsequent penalties.

According to the Department of Public Safety, it is assumed that any agency costs associated with the bill could be absorbed using existing resources.

Local Government Impact

The fiscal impact to units of local government cannot be determined and would be dependent on the number of offenses committed and the subsequent penalties.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 405 Department of Public Safety, 407 Commission on Law Enforcement, 529 Health and Human Services Commission

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