

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 28, 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 the State's ability to combat lethal poisonings, creating a criminal offense.), **As Introduced**

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 establish a Lethal Poisoning Prevention Task Force and require the Department of Public Safety to establish and administer a lethal poisoning prevention training program. It is assumed that any costs associated with these provisions could be absorbed using existing resources.

The bill would create the criminal offense of lethal poisoning for the manufacture, delivery, or trafficking of a lethal poison consisting wholly or partly of fentanyl, alpha-methylfentanyl, or any other derivative of fentanyl which results in the death of an individual as a result of injecting, ingesting, or introducing the lethal poison into the individual's body. 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.

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

LBB Staff: JMc, DDeI, LBO, KFB, DA