

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 29, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB947 by King (Relating to creating a criminal offense for damaging certain critical infrastructure facilities and providing for the prosecution of that conduct as manslaughter in certain circumstances; increasing a criminal penalty.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would create a criminal offense if a person knowingly damages, destroys, vandalizes, or impairs the function of an electrical power generating facility, substation, switching station, electrical control center, or electrical transmission or distribution facility, and as a result of the conduct, causes a power outage lasting for two hours or more or affecting 1,000 or more meters used to measure electric energy consumption by retail customers. The offense would be punishable as a second degree felony but would be a first degree felony if the amount of pecuniary damage to the critical infrastructure facility is \$100,000 or more or if the actor uses a firearm, explosive weapon, drone, or cyber attack in the commission of the offense. The bill would enhance the penalty for manslaughter from a second degree felony to a first degree felony if the person committed the offense of damaging a critical infrastructure facility and caused the death of an individual.

While 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, it would be dependent on the prevalence of conduct that would constitute an offense under the bill.

Local Government Impact

While it is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant, it would be dependent on the prevalence of conduct that would constitute an offense under the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

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