

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

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

**April 26, 2023**

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

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

**IN RE: SB1166** by Birdwell (Relating to the punishment for the offense of burglary of a vehicle involving theft of a firearm; increasing a criminal penalty.), **Committee Report 1st House, Substituted**

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

The bill would increase the criminal penalty for burglary of a vehicle from a Class A misdemeanor to a third degree felony if the actor committed theft of a firearm during the commission of the vehicle burglary.

While it is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant, increasing a penalty from a misdemeanor to a felony would permit the punishment of juveniles by commitment to the Texas Juvenile Justice Department and may lead to increased populations in juvenile state correctional facilities.

**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, 304 Comptroller of Public Accounts

**LBB Staff:** JMc, DDeI, LBO, DGI