

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 9, 2025

TO: Honorable Stan Lambert, Chair, House Committee on Pensions, Investments & Financial Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3014 by Lambert (relating to the creation of the offense of fraudulent use, possession, or tampering with a gift card, gift card packaging, or gift card data or redemption information.),
Committee Report 1st House, Substituted

Creating a new criminal offense may result in an increase in demands upon state and local correctional resources due to a possible increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement. The fiscal implications of the bill cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to criminal penalties.

The bill would create the new felony offense of fraudulent use, possession, or tampering with a gift card, gift card packaging, or gift card data or redemption information; committed when a person: unrightfully acquires or possesses a gift card, digital imprint, or gift card redemption information; alters or tampers with the card or its packaging; possesses, transports, uses, or attempts to use the card, imprint, or information to obtain anything of value while knowing that the card is counterfeit or that the card, imprint, or information has been unrightfully obtained; or by deception in a certain manner makes or attempts to make an unactivated card available for public sale, with intent to harm or defraud another. Punishment for the offense would stratify according to the quantity of cards, card imprints, or sets of card information involved in the prohibited activity and would range from a state jail felony when the number is fewer than five, to a first degree felony when it is fifty or greater.

The Office of Court Administration indicates that the fiscal implications of the bill are indeterminate. The Comptroller of Public Accounts indicates that, while the new offense may result in an increase in court costs remitted to the state, the fiscal impact is indeterminate.

Local Government Impact

While the fiscal impact cannot be determined, creating a new criminal offense may result in increased demands upon local correctional resources due to a possible increase in the number of individuals placed under supervision in the community or confined locally.

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

LBB Staff: JMc, FV, DGI, MGol, AMr