

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 30, 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 or possession of a gift card or gift card redemption information.), **As Introduced**

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 criminal offense of fraudulent use or possession of a gift card or gift card redemption information, committed when a person, with intent to harm or defraud another, unrightfully acquires or possesses a gift card or gift card redemption information, alters or tampers with a gift card, or uses or attempts to use the card or card redemption information to obtain anything of value while knowing the card or card redemption information has been unrightfully obtained or altered or tampered with. Punishment for the offense would stratify according to the value of the card, cards, or information involved, and would range from a Class C misdemeanor when the value is less than \$100, up to a first degree felony when the value is \$300,000 or more. The lowest felony punishment for the offense is a state jail felony, applicable when the value is \$2,500 or more but less than \$30,000.

The Office of Court Administration indicates that the fiscal implications of the bill are indeterminate as the offense is new and data is lacking. 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

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