

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 12, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1281 by Parker (relating to certain criminal offenses involving mail or a mail receptacle key or lock; creating a criminal offense; increasing a criminal penalty.), **Committee Report 1st House, Substituted**

The impact on state correctional populations or on the demand for state correctional resources 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 expand the conduct constituting the criminal offense of mail theft to include mail that is still in transit and when the intent of the theft is to steal a negotiable instrument. Mail theft of a negotiable instrument would be punishable across a range of penalties from a state jail felony to a first degree felony according to the number of negotiable instruments stolen, with increased punishment at the next higher category in certain circumstances when the addressee was a disabled or elderly individual. The bill would also create the third degree felony offense of obtaining, possessing, duplicating, transferring or using a postal service mail receptacle key or lock with the intent to harm, defraud, or deprive another of that person's property, and make it punishable as a second degree felony if the actor has been previously convicted for the offense.

The Office of Court Administration (OCA) and the Comptroller of Public Accounts (CPA) indicate that the fiscal impact to the state cannot be determined.

Local Government Impact

While the fiscal impact cannot be determined, creating a new criminal offense and expanding conduct constituting an existing 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 in local facilities.

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

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