

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 11, 2025

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1300 by Flores (Relating to the prosecution and punishment of the criminal offense of organized retail theft; increasing criminal penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would establish provisions relating to prosecution of organized retail theft offenses. The bill would redefine retail merchandise to include gift cards. The bill would expand conduct constituting the offense of organized retail theft to include when the defendant acts in concert with another or others, obtains a benefit from another's commission of the offense, overwhelms the security response of a merchant or peace officer to facilitate commission of the offense or to avoid detection or apprehension, or steals money or other property belonging to the merchant. The bill would revise penalties for organized retail theft by removing the Class C misdemeanor penalty, raising all other penalties to the next higher category, and establishing a minimum fifteen year imprisonment for the first degree penalty.

While it is assumed that any state revenue impact would not be significant, it would be dependent on the number of offenses committed and the associated court costs.

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, the Office of Court Administration indicates that justice and municipals courts would see a reduction in cases filings for the offense.

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

LBB Staff: JMc, MGol, DGI