

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 3, 2015**

**TO:** Honorable Drew Darby, Chair, House Committee on Energy Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3291** by Raymond (Relating to the creation of the offense of theft of pipeline equipment, oil and gas equipment, oil, gas, or condensate and the unauthorized purchase or sale of oil, gas, or condensate.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Penal Code to enhance the criminal punishment for certain thefts related to oil and gas and oil and gas equipment. Under current law, the thefts applicable to the bill are prosecuted as a state jail felony, third degree felony, or second degree felony depending on the circumstances of the offense. The bill's provisions indicate all of the applicable offenses would be prosecuted as a second degree felony.

The bill would amend the Natural Resources Code to create a new second degree felony offense related to purchasing certain oil and gas-related products without required registration or permits. The bill would also enhance the punishment for a current oil and gas related offense from a third degree felony to a second degree felony.

The Railroad Commission of Texas estimates approximately 30-60 offenses subject to the bill's theft-related provisions occur per year. Increasing the penalty for any criminal offense and creating an offense is expected to result in increased demands upon the correctional resources of the state due to longer terms of probation, or longer terms of confinement in prison. However, due to the limited estimated number of offenses applicable to the bill's provisions, this analysis assumes the provisions of the bill would not result in a significant impact on state correctional agencies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 455 Railroad Commission

**LBB Staff:** UP, SZ, LM, ESi, MW, TB