

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 3752
Version:	Committee Substitute
Request Number:	10987
Author:	Rep. Fetgatter
Date:	3/18/2022
Impact:	Creates misdemeanor; potential fine revenue

Research Analysis

The CS to HB 3752 provides that it is unlawful for the owner of real property which has been used to grow and harvest marijuana crops to willfully desert or abandon the real property without restoring the land to its previous condition. Violation is a misdemeanor punishable by up to 1 year in the county jail, a fine of \$1,000 or both fine and imprisonment. The court may also order the person to reimburse the county for the cost to remediate any damage to the land caused by the property owner. The measure also allows a commissioned peace officer to seize any real property that has been abandoned or deserted in such a manner.

Prepared By: Brad Wolgamott

Fiscal Analysis

The committee substitute to the measure would make it unlawful for an individual to willfully abandon any real property used for the cultivation of marijuana without first restoring the property to its previous condition. The penalty for violation would be a misdemeanor punishable by a fine of \$100,000 and/or imprisonment in the county jail for one year. The measure would also allow law enforcement agencies to seize such property.

Upon review, the measure may have a positive fiscal impact to the state. By creating a misdemeanor and establishing a fine, the measure may increase revenue received by the state. Allowing forfeiture actions would also potentially increase state revenues.

Prepared By: Clayton Mayfield

Other Considerations

None.