Bill Number:	H. 5288 Introduced on February 26, 2026
Subject:	Cargo Theft
Requestor:	House Judiciary
RFA Analyst(s):	Welsh
Impact Date:	April 14, 2026

Fiscal Impact Summary

This bill creates the misdemeanor and felony offense of cargo theft and the possession or sale of stolen cargo. This bill establishes a tired penalty structure for those found guilty of the offense dependent upon the value of the cargo, number of violations, and whether the defendant is a repeat offender. Acts committed in different counties that have been aggregated in one count may be indicted and prosecuted in any one of the counties in which the acts occurred.

This bill specifies that nothing within the sections may be interpreted to allow a circuit solicitor or persons in the circuit solicitor's employ to prosecute cases outside of the circuit where the circuit solicitor was elected without the consent of the Attorney General. The Revenue and Fiscal Affairs Office (RFA) anticipates the Office of Attorney General will manage any additional responsibilities from this bill within existing appropriations.

RFA anticipates this bill may result in an increase in the number of court cases and potentially the number of incarcerations, due to the newly created offenses and expansion of current offenses, which may increase the workload of the court system and the Commission of Indigent Defense (CID), the Department of Probation, Parole and Pardon Services (PPP), the Commission on Prosecution Coordination (CPC), and the Department of Corrections (Corrections). We anticipate the potential impact of the caseload in court can be managed within existing appropriations by Judicial. Additionally, the potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. RFA anticipates that the potential increase in caseload can be managed by these agencies within existing appropriations. However, if the bill has an unanticipated impact on caseloads or downstream expenses, Judicial and these agencies will request an increase in General Fund appropriations. For information, according to Corrections, in FY 2024-25, the annual total cost per inmate was $37,503, of which $35,696 was state funded.

Further, RFA anticipates this bill will have a minimal impact on counties and municipalities that can be managed with existing resources.

This bill may result in a change in the fines and fees collected in court due to the potential increase in the caseload in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to local revenue due to the change in fines and fees collections in court.

Explanation of Fiscal Impact

Introduced on February 26, 2026
State Expenditure
This bill creates the misdemeanor and felony offense of cargo theft and the possession or sale of stolen cargo. This bill establishes a tired penalty structure for those found guilty of the offense dependent upon the value of the cargo, number of violations, and whether the defendant is a repeat offender.

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State Revenue
This bill creates the misdemeanor and felony offense of cargo theft and the possession or sale of stolen cargo. This bill establishes a tired penalty structure for those found guilty of the offense dependent upon the value of the cargo, number of violations, and whether the defendant is a repeat offender.

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to the General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Local Expenditure
This bill creates the misdemeanor and felony offense of cargo theft and the possession or sale of stolen cargo. This bill establishes a tired penalty structure for those found guilty of the offense dependent upon the value of the cargo, number of violations, and whether the defendant is a repeat offender.

We anticipate this bill will have a minimal impact on counties and municipalities that will be managed with existing resources.

Local Revenue

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to local revenue due to the change in fines and fees collections in court.

Frank A. Rainwater, Executive Director