

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATURE 1st CALLED SESSION - 2003

July 9, 2003

TO: Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB21 by Ogden (Relating to the financing, construction, improvement, maintenance, and operation of toll facilities by the Texas Department of Transportation and the disposition of money generated by the driver responsibility program, additional court costs imposed on conviction of certain traffic offenses, and certain fees collected by the Department of Public Safety.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB21, As Introduced: a positive impact of \$231,652,000 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$0
2005	\$231,652,000
2006	\$0
2007	\$0
2008	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from GENERAL REVENUE FUND 1	Probable Revenue Gain/(Loss) from TEXAS MOBILITY FUND 365
2004	\$0	\$82,333,000
2005	\$231,652,000	(\$132,852,000)
2006	\$0	\$0
2007	\$0	\$0
2008	\$0	\$0

Fiscal Analysis

The bill would amend changes to the Transportation Code made by House Bills 3184 and 3588, Acts of the 78th Legislature, Regular Session, 2003, relating to the financing, construction, improvement, maintenance, and operation of toll facilities by the Texas Department of Transportation and the disposition of money generated by the driver responsibility program, additional court costs imposed on conviction of certain traffic offenses, and certain fees collected by the Department of Public Safety (DPS).

House Bill 3588 would have created the Texas Mobility Fund Debt Service Account (TMFDSA). Under provisions of Senate Bill 21, the TMFDSA would not be created. The bill would amend House Bill 3588 to require portions of revenues generated in fiscal years 2004 and 2005 from the additional \$30 court cost and the Driver Responsibility Program to be deposited to the credit of the Texas Mobility Fund instead of the TMFDSA and the General Revenue Fund. The bill would also amend House Bill 3588 to change the dedication of certain DPS fees for fiscal 2005, including driver's license and inspection fees, from the Texas Mobility Fund to the General Revenue Fund.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect on the 91st day after the last day of the legislative session.

Methodology

This analysis includes the latest certification findings provided by the Comptroller of Public Accounts.

Based on data from the Comptroller's 2004-05 Biennial Revenue Estimate, the bill would direct approximately \$231.6 million in fiscal year 2005 would to be deposited to the credit of the General Revenue Fund instead of the Texas Mobility Fund.

The bill would also require 49.5 percent of the revenues generated from the Driver Responsibility Program and 67 percent of revenues received by the Comptroller from the \$30 court fees to be deposited to the credit of the Texas Mobility Fund instead of the TMFDSA and the General Revenue Fund in fiscal years 2004 and 2005. Since no amounts were certified for general spending purposes from these revenue sources in accordance with House Bill 3588, no General Revenue Fund impacts from these revenues are identified in the table above. No gains to the Texas Mobility Fund are reflected from Driver Responsibility Program generated revenues based on certification findings; however, approximate gains of \$82.3 million in fiscal year 2004 and \$98.8 million in fiscal year 2005 from the \$30 court cost increases are reflected in accordance with amounts identified by the Comptroller and the requirements of the bill. Any revenues generated from the Driver Responsibility Program during fiscal years 2004 and 2005 would result in a corresponding increase to the Texas Mobility Fund in accordance with the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 601 Department of Transportation

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