

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

April 4, 2003

TO: Honorable Kenny Marchant, Chair, House Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1261 by Hilderbran (Relating to authorizing the attorney general to provide a written opinion on request of a member of the legislature.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1261, As Introduced: a negative impact of (\$601,430) 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.

The bill amends Section 402.042(b)(7) authorizing the attorney general to provide a written opinion on the request from "committee of a house" to "member" of the legislature.

The act takes effect immediately if it receives a vote of two-thirds of all members of each house; otherwise it takes effect September 1, 2003.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$314,365)
2005	(\$287,065)
2006	(\$287,065)
2007	(\$287,065)
2008	(\$287,065)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND</i> 1
2004	(\$314,365)
2005	(\$287,065)
2006	(\$287,065)
2007	(\$287,065)
2008	(\$287,065)

Fiscal Analysis

For fiscal years 2001 and 2002, the Office of the Attorney General estimated an average of 60.5 requests for opinion were received from the fifty legislative committees or an average committee request of 1.21 opinions per year. If each member of the House of Representatives (150) and each member of the Senate (31) submitted 1.21 requests for opinion, a total of 219 requests for opinion per

year would result or 158.5 more requests for opinion per year with passage of the Act.

Methodology

Assuming each attorney would draft at least fifty opinions per year, this note assumes that the agency would need additional staff of two Assistant Attorneys General IV, one Assistant Attorney General V, one Administrative Technician III, one-half Legal Assistant III, and one-half Research Specialist II to handle the increased workload in fiscal years 2004-2008. Including salaries and wages, fringe benefits and overhead costs, the fiscal impact would be \$314,365 in FY 2004 and \$287,065 for each fiscal year thereafter. This fiscal note does not include any additional travel costs.

Technology

The OAG indicated a one-time cost of \$12,801 in FY 2004 for network stations and printers.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JK, RR, MS, BL