

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

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 27, 2003**

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

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1562** by Merritt (Relating to applications for public information that are frivolous or filed for the purpose of harassment.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 552 of the Government Code by adding Subchapter J to allow public information officers of certain local governmental bodies to request the State Office of Administrative Hearings (SOAH) to determine if applications for public information are frivolous or were filed for the purpose of harassment.

SOAH assumes 10 cases per year would be referred. If each of these cases required four hours of hearing time each, and an additional 15 hours of time to prepare the administrative law judge's written decision, SOAH assumes the cost for these cases would be \$17,100. This assumes a \$90 per hour cost, which is the rate SOAH currently charges state agencies for cases referred. If each of the 10 cases required eight hours of hearing time, and an additional 25 hours of time to prepare the written decision, the cost for these cases would be \$29,700.

It is assumed that the duties and responsibilities associated with implementing provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

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

**Source Agencies:** 356 Texas Ethics Commission, 360 State Office of Administrative Hearings

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