

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

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

**April 8, 2003**

**TO:** Honorable Glenn Lewis, Chair, House Committee on County Affairs

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

**IN RE: HJR91** by Lewis (Proposing a constitutional amendment allowing a state mandate imposed on a county to have effect only if the state provides for the payment to the county of the cost of the mandate.), **As Introduced**

**No significant fiscal implication to the State is anticipated**, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

The resolution would propose a constitutional amendment that would prevent a state mandate imposed on a county, whether through legislation or agency rule, that would create a cost for a county from having an effect unless the state provides funding to cover the costs of the mandate. If the resolution passes, the provisions of the amendment would apply only to mandates adopted on or after January 1, 2004. Excepted from the amendment would be mandates imposed to comply with a requirement of the Texas constitution, federal law, a court order, or approved by the voters of the state at a general election.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003.

If the amendment passes, the state would be required to fund all mandates placed on counties by the state, which would result in additional costs to the state that would vary, depending on what the requirements might be.

Conversely, if the amendment passes, counties would avoid incurring additional expenses for unfunded mandates, which would result in a savings. The level of savings would depend on what requirements would have otherwise been imposed.

**Local Government Impact**

Counties would experience a savings that would vary depending on the requirement, but would be expected to be cumulatively significant.

**Source Agencies:**

**LBB Staff:** JK, DLBa