

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 8, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1131 by Harris (Relating to funding of certain emergency medical services, trauma facilities, and trauma care systems.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1131, As Introduced: an impact of \$0 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 | \$0 |
| 2006 | \$0 |
| 2007 | \$0 |
| 2008 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable Revenue Gain/(Loss) from <i>ADV COMM EMER COMM ACCT</i> 5007 | Probable Revenue Gain/(Loss) from <i>Municipalities and Counties</i> |
|-------------|---|---|
| 2004 | \$3,082,000 | \$343,000 |
| 2005 | \$4,709,000 | \$523,000 |
| 2006 | \$4,798,000 | \$533,000 |
| 2007 | \$4,890,000 | \$543,000 |
| 2008 | \$4,982,000 | \$554,000 |

Fiscal Analysis

The bill would amend the Health and Safety Code to increase the reserve required for the General Revenue Account 5007—Advisory Commission on Emergency Communications (GR Account 5007). The allotment from the fund for local emergency medical services, the trauma service area regional advisory councils, and for uncompensated care would also be adjusted.

The bill would amend the Code of Criminal Procedure to impose a \$100 court cost fee on persons convicted of offenses of driving while intoxicated/driving under the influence (DWI/DUI).

The bill would take effect September 1, 2003 and would apply only to DWI/DUI offenses committed on or after that date.

NOTE: According to the Comptroller of Public Accounts, the legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in the bill would be subject to funds consolidation review by the current Legislature.

Methodology

The Comptroller provided estimates for the fiscal impact of the bill as it relates to imposing a \$100 court cost fee using data on DWI/DUI convictions reported in the most recent "Annual Report of the Texas Judicial System." Revenue was adjusted for the effective date of the bill and an assumed collection rate level.

The bill would increase the reserve required for the General Revenue Account 5007—Advisory Commission on Emergency Communications (GR Account 5007) from \$250,000 to \$500,000. The allotment from the fund for local emergency medical services would be reduced from 70 percent to 50 percent of the money remaining in the fund after any amount necessary to maintain the reserve is deducted; the allotment for the trauma service area regional advisory councils would be decreased from 25 percent to 20 percent; and the allotment for uncompensated care would increase from 2 percent to 27 percent.

The bill would impose a \$100 court cost fee on persons convicted of driving while intoxicated/driving under the influence offenses (DWI/DUI). Counties would be required to remit 90 percent of the fees collected to the Comptroller of Public Accounts each quarter, retaining 10 percent at the local level. The Comptroller would deposit the revenue into the GR Account 5007.

It is assumed that the changes in percentages of allotments would not have a fiscal impact on the state because the same amount of money is being used, but would be distributed at a different rate per category.

Technology

The Comptroller estimates a one-time cost of \$64,692 in fiscal year 2004 for programming and computer costs.

Local Government Impact

The fiscal impact to units of local government is reflected in the tables. The amount of revenue gain would vary by municipality and county depending on the number of DWI/DUI convictions occur and the ability of defendants to pay the fee.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 501 Department of Health

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