

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 4, 2003

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

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

**IN RE: SB1702** by Wentworth (Relating to the authority of the commissioners court of a county to regulate the movement of an oversize manufactured house on certain county roads, bridges, or culverts; providing a penalty.), **As Introduced**

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

The bill would amend the Transportation Code to require the Department of Transportation to authorize the commissioners court of a county to regulate the movement of an oversize manufactured house. The bill would distinguish between the permit required and issued by the Department of Transportation (TxDOT) and the new authority that would be granted to the commissioners court for the movement of an oversize manufactured house. The bill would authorize the commissioners court of a county to set conditions for the movement of a manufactured house in excess of legal size limits for a motor vehicle over a county road, bridge, or culvert that had established load limits. The bill would allow the commissioners court to impose a nonrefundable application fee, not to exceed \$50 for each permit issued, and would require a permit issued by TxDOT to be carried in the moving vehicle and displayed at the request of a peace officer if a person has one. The bill would also outline conditions that would constitute an offense under the bill and would establish a violation as a Class C Misdemeanor.

Based on the analyses provided by TxDOT, the Department of Housing and Community Affairs, the Office of the Attorney General, and the Comptroller of Public Accounts, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2003, and would apply to the movement of a manufactured house that occurred on or after that date.

#### Local Government Impact

The Manufactured Housing Division of the Department of Housing and Community Affairs (TDHCA) reports there are 730,601 manufactured home titles in Texas. From time to time, some of these homes can be assumed to be moved within and amongst the various counties in the state. In fiscal year 2002, the department reported 25,987 manufactured home installations in the entire state. The county by county report for the year shows that installations were as few as one in Baylor County to 8,699 in Henderson County.

The TDHCA report indicates four homes were installed in Madison County in 2002. In the same year, there were 255 manufactured home installations in Hays County.

Based on the figures provided, had the \$10 fee been an option in year 2002, Baylor County would have had a revenue gain of \$10; Madison County, a gain of \$40; Hays County, a gain of \$2,550; and Henderson County, a gain of \$86,990.

The revenue gain could possibly be significant for small counties with large installations of

manufactured homes; otherwise, no significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 332 Department of Housing and Community Affairs, 601 Department of Transportation

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