

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 24, 2005

TO: Honorable Robert Talton, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB111 by Wong (Relating to allowing a municipality to set the amount of a fine for the violation of a municipal ordinance.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would require that a fine or penalty for the violation of a rule, ordinance, or police regulation be set in an amount determined by the governing body of the municipality. To maintain consistency among statutes, the bill would also remove the limit on amounts of fines as a determining factor for authorizing a municipal court or municipal court of record to have jurisdiction over criminal offenses arising under ordinances, resolutions, rules, or order of a joint board operating an airport under Section 22.074, Transportation Code that are punishable by a fine only. The bill would take effect September 1, 2005.

Under current statute, the amount of a fine for the violation of a rule, ordinance, or police regulation may not exceed \$500, with some violations having a fine limit of \$2,000. Also, under current statute, jurisdiction over certain criminal cases in a municipality or extraterritorial jurisdiction of the municipality is determined in part by the level of fine that can be assessed for the offense, which is also the \$500 and \$2,000 maximum limits.

Local Government Impact

Under provisions of the bill, a municipality could increase the maximum amount of fines currently imposed for certain violations, which could result in an increase in revenue, depending on how many such offenses occur each year, what level of fines are established by the municipality, and what level of fines are imposed by the courts. Any increase would vary by municipality, but is not expected to be significant.

Source Agencies:

LBB Staff: JOB, DLBa