

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 19, 2005

TO: Honorable Phil King, Chair, House Committee on Regulated Industries

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

IN RE: HB721 by Deshotel (Relating to the transmission of certain unsolicited messages or images to a mobile telephone or pager; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code by adding that the transmission of certain unsolicited messages or images to a mobile telephone or pager would be a Class C misdemeanor offense. The bill would take effect September 1, 2005 and would apply only to a transmission that occurs on or after that date.

Local Government Impact

It is anticipated that costs associated with enforcement and punishment of the offense could be absorbed within current budgets, although Bexar County and Harris County indicated it is difficult to anticipate the full impact because of lack of history with the type of investigation that would be required. Harris County assumed that this type of investigation would be lengthy, which would require adding one full-time officer to investigate these offenses, at a cost of \$76,500 in fiscal year 2006, increasing to \$89,272 by fiscal year 2010, for salary, benefits, overhead, supplies, and equipment. Harris County further assumed collecting between \$3,000 and \$3,650 in fines annually. These costs and revenue gain reflect less than 1 percent of the county's overall budget.

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

Source Agencies:

LBB Staff: JOB, JRO, DLBa