

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 17, 2005

TO: Honorable Ray Allen, Chair, House Committee on County Affairs

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

IN RE: HB757 by Farabee (Relating to authorizing counties to enact ordinances to protect the public health, safety, or welfare; providing a penalty.), **As Introduced**

| |
|---|
| No fiscal implication to the State is anticipated. |
|---|

The bill would amend the Local Government Code to authorize county commissioners courts to enact ordinances to protect the public health, safety, or welfare in the unincorporated areas of the county. The county would be authorized to impose reasonable fees on persons who are subject to an ordinance. Violation of ordinances would be a Class C misdemeanor for a first offense and a Class B misdemeanor for a second or other subsequent offense. In the event a county ordinance conflicts with a municipal ordinance in the municipality's jurisdiction, the municipal ordinance would prevail. The bill would take effect September 1, 2005 and would apply only to ordinances adopted on or after that date.

Local Government Impact

If a county were to enact ordinances under the provisions of the bill, it is assumed the county would also impose sufficient fees to cover applicable administrative costs. It is anticipated that costs associated with prosecution of violators of the ordinances could be absorbed within existing budgets and offset by fines.

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

Source Agencies:

LBB Staff: JOB, DLBa