

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 13, 2005

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

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

IN RE: HB843 by Truitt (Relating to the authority of certain counties to regulate the construction of certain communication facilities in certain circumstances; providing a penalty.), **As Engrossed**

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| No fiscal implication to the State is anticipated. |
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The bill would amend the Local Government Code by authorizing certain counties to regulate the location of wireless communication facilities constructed within the unincorporated area of the county and within one-quarter mile of a residential subdivision within the county. The county would be authorized to impose fees on persons regulated under the provisions of the bill. The bill would establish the procedures to be followed in filing with the county for permission to construct or improve communication facilities and would create as a Class C misdemeanor offense a violation of county orders adopted under the proposed statute.

The bill would take effect immediately if it receives two-thirds votes in both houses; otherwise, it would take effect September 1, 2005.

Local Government Impact

The counties that meet the population parameters of the bill are Dallas, Tarrant, and Harris. It is assumed that the county commissioners would set the fees authorized by the bill to cover the costs of administering regulations. It is anticipated that costs for enforcement activities associated with implementing regulations would be insignificant.

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

Source Agencies:

LBB Staff: JOB, CL, JRO, DLBa