

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

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

IN RE: HB1672 by Howard (Relating to costs imposed in connection with the collection and enforcement of certain tolls.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend Section 284.2031, Transportation Code, to require a county with a population of less than 3.3 million that is adjacent to a county with a population of 3.3 million to deposit into the county's general fund money collected in extra court costs upon conviction of a toll violation. The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Under current statute, only a county with 3.3 million or more (Harris County) or a county that is adjacent to that county may impose an extra court cost fee of \$1 for conviction of a toll violation, and the county must deposit the money into a special fund within the county treasury for specific uses. The proposed change in statute would authorize the counties adjacent to Harris County to deposit the money collected into the county's general fund and would not specify its use. Provisions of current statute would continue to apply to Harris County.

The bill would add Section 284.2032 to the Transportation Code to authorize a county with a population of 3.3 million or more to impose, in addition to other costs, \$1 as an administrative cost associated with collecting a toll or charge for each event of nonpayment of a required toll or charge imposed under Section 284.069, Transportation Code. The bill would establish how those funds must be administered and used. In a county with a population of 3.3 million or more (Harris County), the administrative cost shall be deposited into the county treasury in a special fund administered by the county attorney or district attorney. In smaller counties, the money collected shall be deposited into the county's general fund. Section 284.2032 would take effect September 1, 2005.

Under current statute, in Harris County, a hearing must first be held before the administrative cost is collected, and in all applicable counties, money collected for the administrative cost is deposited into a special fund.

The bill would take effect September 1, 2005, and would apply only to an event of nonpayment of a toll or charge that occurs on or after that date.

Local Government Impact

The proposed change to Section 284.2031 would not affect the amount of revenue an applicable county collects, but would provide flexibility in the use of that revenue in those counties.

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

Source Agencies:

LBB Staff: JOB, SD, SR, DLBa