

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**May 16, 2005**

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

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

**IN RE: HB2303** by Driver (Relating to the regulation of and rights of private security personnel.), As Engrossed

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Occupations Code to require the Department of Public Safety to designate an employee to report directly to the Private Security Board to assist in the administration of the board's duties. The bill would also establish rulemaking procedures for the Private Security Board and raise the fee caps on 13 fees. The bill would add new fees including a Class D license fee not to exceed \$400 for originals and renewals, a registration fee for locksmiths and electronic access control devices installers not to exceed \$30 for originals and renewals, a registration fee for an employee of a license holder not to exceed \$30, and a letter of authority fee for a commissioned officer, noncommissioned officer, or personal protection officer for a political subdivision not to exceed \$10.

The bill delegates the setting of the specific fee amounts to the Private Security Board. Current statute states that fees may not produce unnecessary fund balances, and current fees generate revenue in excess of appropriations for the Private Security Board. Since the amount of the fee would be dependent upon future actions of the Private Security Board, the Comptroller of Public Accounts reports that the fiscal impact from this provision cannot be estimated. The Department of Public Safety reports that the potential revenue would equal \$551,610 in General Revenue in fiscal year 2006 and \$624,120 in General Revenue in subsequent fiscal years.

The bill would take effect September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, JRO, KJG, VDS, SJ, LM