

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 11, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

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

IN RE: HB2895 by Phillips (Relating to the recovery of certain costs associated with certain civil suits by the Parks and Wildlife Department.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to authorize the Texas Parks and Wildlife Department (TPWD) to recover actual investigation costs, reasonable attorney's fees and reasonable expert witness fees incurred as a result of pursuing a case against persons found liable or convicted of killing, catching, taking, possessing or injuring fish, shellfish, reptiles, amphibians, birds or animals in violation of Parks and Wildlife Code. The bill would direct that such amounts recovered be credited to the operating funds from which the expenditures occurred. The bill would also amend the Government Code to add investigation costs, reasonable attorney's fees and reasonable expert witness fees to the list of miscellaneous fees and costs that shall be paid or collected in either a civil suit or a criminal prosecution.

The TWPD indicates the bill would likely generate estimated revenue of \$40,548 per year to recover costs in cases involving seismic activities (underwater explosions) triggering fish/aquatic life kills and bird kills due to poisoning. To the extent this bill allows TPWD to recover costs, it benefits the agency, however, these costs have no significant fiscal impact on agency operations.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, WK, ZS, TB