

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB9 by Staples (Relating to homeland security; providing a penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill authorizes the Texas Department of Agriculture and the Texas Animal Health Commission to operate road station inspections to protect the state from shipments of potentially dangerous plant and animal pests and diseases. Both agencies anticipate being able to absorb the costs associated with these inspections within existing agency resources.

The bill requires the Office of the Governor to develop and administer a strategic plan to design and implement a statewide-integrated public safety radio and computer communications system. The bill requires the Office of the Governor to develop and administer a plan to purchase infrastructure equipment for state and local agencies and first responders and advise representatives of entities involved in homeland security activities.

The bill requires that all funds appropriated for the purpose of providing administrative support to the Public Safety Radio Communications Council be transferred from the Department of Public Safety to the Office of the Governor. No significant fiscal impact to the state is anticipated as the transferred funds will be used to fund the administration of the Governor's Interoperable Radio Communications Program.

The bill requires the Railroad Commission to adopt and enforce safety standards relating to the prevention of damage by a person to a facility under the commission's jurisdiction.

The bill repeals Health and Safety code provisions relating to the operation of certain machinery near high voltage lines.

The bill would add Section 2.122(g) to the Code of Criminal Procedure, which would extend the powers of a Special Agent of the Secret Service in this state. The bill would extend to Secret Service agents the power of arrest, search, and seizure as to misdemeanor offenses under state law and criminal offenses under federal law if the agents were in the state to protect or to investigate a threat against: the President, Vice President, President-elect, Vice President-elect or any member of his or her immediate families; visiting heads of foreign states or foreign governments; other distinguished foreign visitors; or major presidential and vice presidential candidates and their spouses.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2005.

Local Government Impact

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

Source Agencies: 301 Office of the Governor, 551 Department of Agriculture, 554 Animal Health Commission

LBB Staff: JOB, KJG, ZS, JF, SR, MS, SMi