

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

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

**April 25, 2005**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

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

**IN RE: SB245** by Gallegos (Relating to local government authorization of charitable solicitation by a pedestrian.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would require a local authority to grant authorization for a person to stand in a roadway to solicit a charitable contribution if the persons who will be engaged in the activity are employees or agents of the local authority and follow other requirements that would be established by the bill, including furnishing advanced proof of having obtained liability insurance of at least \$1 million to cover damages that may arise from the solicitation. The local authority would be allowed to require a permit and charge reasonable fees for the permit. The local authority's actions under the statute would not waive or limit its immunity from applicable liability.

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.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated unless an incident resulting from the solicitation results in liability imposed on the local authority beyond the \$1 million that would be covered by the insurance policy acquired by the persons engaged in the solicitation.

**Source Agencies:**

**LBB Staff:** JOB, DLBa