

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 3, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

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 Introduced**

No fiscal implication to the State is anticipated.

The bill would require a local authority having jurisdiction over a roadway to grant authorization for charitable solicitation by a pedestrian in a roadway if the organization seeking authorization provides advance proof of liability in the amount of at least \$1 million to cover damages that may arise from the solicitation. The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Under current statute, a local authority has discretion regarding granting permission to solicit a charitable contribution on a roadway. This discretion allows the local authority to determine what risks and what level of risks it is willing to assume.

Local Government Impact

It is assumed that requiring the requesting organization to obtain and show proof of liability coverage would relieve the local authority of liability for damages that may arise of at least up to \$1 million. Requiring the local authority to grant permission for pedestrian solicitation, in and of itself, would have no direct fiscal impact.

Source Agencies:

LBB Staff: JOB, DLBa