

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 20, 2005

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

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

IN RE: SB305 by Armbrister (Relating to the licensing and regulation of glass technicians; providing administrative penalties.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB305, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2007.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Change in Number of State Employees from FY 2005
2006	(\$897,054)	\$897,054	9.0
2007	(\$534,254)	\$534,254	9.0
2008	(\$534,254)	\$534,254	9.0
2009	(\$534,254)	\$534,254	9.0
2010	(\$534,254)	\$534,254	9.0

Fiscal Analysis

The bill would amend the Occupations Code by establishing the Glass Technicians Board of Examiners (Board). The bill would identify those required to have a license and provide for exemptions. Automotive glass replacement technician and glazier licenses would be valid for three years; and automotive glass repair technician licenses would be valid for five years. The bill would also allow the board to adopt a staggered renewal system and pro-rate the fees in the year the system is implemented. The bill would establish an administrative penalty of not less than \$50 or more than \$5,000 for each day of violation, if a person violated the chapter or rule or order adopted by the board.

The bill requires the executive director to maintain a written policy statement that implements a

program of equal employment opportunity to ensure that all personnel decisions are made without regard to race, color, disability, sex, religion, age, or national origin.

Except as provided by Subsection (b) of this section, the bill would take effect September 1, 2005. Section 1306.251 of the Occupations Code, as added by the bill, and Subchapters G, H, and I, Chapter 1306 of the Occupations Code, as added by the bill, would take effect September 1, 2006.

Methodology

The Texas Workforce Commission (TWC) states that the Civil Rights Division is required to review the policies of all state agencies once every six years for compliance with Chapter 21 of the Labor Code. According to TWC, the bill would have no significant fiscal impact.

The Department of Licensing and Regulation (TDLR) estimates an initial glass technician population of 7,200 (1,500 automotive glass repair technicians, 2,400 automotive glass replacement technicians, and 3,300 glaziers). Based on TDLR analysis, it is assumed that the board would need nine Full-time Equivalents (FTE) each year and \$908,969 in fiscal year 2006 and \$546,169 in fiscal year 2006 for registration and enforcement of automotive glass repair technicians, automotive glass replacement technicians, and glaziers. (\$418,754 in salaries and benefits, \$22,000 for travel, \$30,000 in professional services, \$13,500 for other operating costs each fiscal year and one-time costs of \$52,800 for equipment in fiscal year 2006)

TDLR estimates the board would need one FTE for each of the following positions: Executive Director, Finance Manager II, Licensing Manager II, Enforcement Manager II, Accountant II, Administrative Assistant II, Administrative Assistant III, Systems Analyst III, and Legal Assistant II.

TDLR estimates additional funds required to purchase a licensing system of \$350,000 in fiscal year 2006 and \$50,000 for maintenance costs in subsequent years.

It is assumed that the board would adjust fees to offset any costs associated with implementing provisions of the bill.

Technology

TDLR estimates the board would need \$20,400 for the purchase of computers in fiscal year 2006.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 303 Building and Procurement Commission, 304 Comptroller of Public Accounts, 320 Texas Workforce Commission, 360 State Office of Administrative Hearings, 452 Department of Licensing and Regulation

LBB Staff: JOB, SD, JRO, MW, RR