

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 12, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

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

IN RE: HB764 by Dutton (Relating to the collection of a family protection fee.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend Section 51, Government Code, to reduce the maximum amount of the family protection fee from \$30 to \$15, and to allow the county to retain the entire fee collected.

Under current statute, one-half of the fee collected would be remitted to the Comptroller of Public Accounts for deposit into the General Revenue Account 5085 (Child Abuse and Neglect Prevention Trust). However, in December 2005, Attorney General Opinion GA-0387 found the state portion of the fee to be unconstitutional, an opinion upheld in court. Therefore, the state portion of the fee is no longer being collected. The bill would adjust the statute to reflect current practices and would therefore have no fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, MN, SD, DB