

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 20, 2007

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

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

IN RE: HB1623 by Phillips (Relating to certain penalties and fees imposed for operating a motor vehicle or vessel in violation of law.), **Committee Report 1st House, Substituted**

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| No significant fiscal implication to the State is anticipated. |
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The bill would amend the Transportation Code to authorize a court to dismiss a charge for operating a motor vehicle or vessel in violation of various laws when certain conditions are met and the defendant pays an administrative fee not to exceed \$25. For cases that under current statute there is a \$10 administrative fee, the fee would be increased to \$25.

Local Government Impact

The revenue gain experienced would vary by court, depending on how many applicable cases are dismissed. As an example, the Bexar County Budget Office reports that in fiscal year 2005, a total of 7,756 cases regarding proof of financial responsibility were dismissed. Had the \$25 fee been applicable at that time, there would have been \$116,340 generated in additional revenue for the county and \$77,560 generated for the state.

In addition, the Comptroller of Public Accounts reports that, although the total number of dismissals that may occur for compliance is unknown, statistics for municipal courts indicate approximately 440,000 such traffic dismissals per year. Under provisions of the bill, municipalities could see at least a 250 percent increase in administrative fee revenue for compliance dismissals. Statistics for compliance dismissals are not available for other types of state courts.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, DB