

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 16, 2007

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

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

IN RE: HB1959 by Ortiz, Jr. (Relating to disposition of state traffic fines.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1959, As Introduced: a negative impact of (\$4,763,000) through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$2,165,000)
2009	(\$2,598,000)
2010	(\$2,598,000)
2011	(\$2,598,000)
2012	(\$2,598,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1	Probable Revenue Gain/(Loss) from <i>TRAUMA FACILITY AND EMS</i> 5111
2008	(\$2,165,000)	(\$1,067,000)
2009	(\$2,598,000)	(\$1,280,000)
2010	(\$2,598,000)	(\$1,280,000)
2011	(\$2,598,000)	(\$1,280,000)
2012	(\$2,598,000)	(\$1,280,000)

Fiscal Analysis

The bill would amend Section 542.4031, Transportation Code, to authorize a municipality or a county to retain the entire amount of the money collected as a state fine in connection with enforcing priveleged parking statutes (use of handicap placard/use of handicap parking spaces). The money could be used only to construct curb cuts and other accessibility improvements in the municipality or county or to fund paratransit or demand response transportation systems for individuals with disabilities.

The bill would apply only to money collected on or after the effective date of the bill, which would be October 1, 2007.

Methodology

Under current statute, a person who enters a plea of guilty or nolo contendere to or is convicted of an offense under Chapter 542 shall pay \$30 as a state traffic fine, and a municipality or county may retain

5 percent of the state traffic fine. The bill would allow the municipality or county to retain the entire \$30 when the offense is related to handicapped parking and handicap placards.

The fiscal impact was based on historical data from the *Annual Statistical Report for the Texas Judiciary—Fiscal 2006*, adjusted for convictions and the effective date. There are an estimated 184,656 privileged parking cases per year and a 70 percent conviction and fine payment rate. The first year was adjusted for 10 months of revenue loss because of the effective date.

Local Government Impact

The revenue gain to each municipality and county would vary depending on the number of offenses committed in each, but is not anticipated to be significant per entity. In the aggregate, the positive fiscal impact to local governments would be equivalent to the loss to the state.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, DB