

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Craig Estes, Chair, Senate Committee on S/C on Ag., Rural Affairs & Coastal Resources

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

IN RE: SB689 by Shapleigh (Relating to the sale or transport of certain desert plants; providing a penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB689, As Introduced: a negative impact of (\$247,944) 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	(\$168,002)
2009	(\$79,942)
2010	(\$79,942)
2011	(\$79,942)
2012	(\$79,942)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Change in Number of State Employees from FY 2007
2008	(\$168,002)	2.0
2009	(\$79,942)	2.0
2010	(\$79,942)	2.0
2011	(\$79,942)	2.0
2012	(\$79,942)	2.0

Fiscal Analysis

This bill would amend Subtitle F, Title 5 of the Agriculture Code by adding Chapter 122, which would require growers or harvesters of desert plants to register with the Department of Agriculture (TDA). It would also require these individuals to mark desert plants for sale with an identification mark prescribed or provided by TDA..

The bill also allows TDA to issue a stop-sale order to stop the sale or shipment of unmarked desert plants, and establishes penalties if a person advertises, sells, or ships unmarked desert plants.

Methodology

TDA anticipates needing two additional FTEs to implement the provisions associated with this bill for a total cost of \$76,974 (including employee benefits) in each fiscal year. Additionally, the agency

estimates that start up costs including equipment and vehicles will total \$37,360 in fiscal year 2008. TDA also anticipates a cost of \$51,200 in fiscal year 2008 to modify the agency's existing nursery/floral registration system and enhance TDA's inspection system to capture the enforcement information required by this bill.

The bill allows TDA to charge a fee for providing an identification mark; if TDA chose to provide a mark, instead of prescribing the guidelines for businesses to use in marking these desert plants, this would consist of the agency creating some sort of sticker to identify these plants. The agency does not anticipate there to be a significant cost associated with the production of such stickers and therefore does not anticipate charging a fee for them.

Technology

The estimated technology impact for the 2008-09 biennium would be \$51,200 to modify the current data collection/management system for registration and enforcement activities required by this bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 551 Department of Agriculture

LBB Staff: JOB, WK, ZS, JF