

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 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: SB1561 by Hinojosa (Relating to the seizure and destruction of certain plants; creating an offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would authorize TDA to seek an agriculture warrant in order to enhance quarantine and eradication activities related to citrus pest and/or disease outbreaks. The bill would also require TDA to adopt rules that establish when a healthy but suspect citrus plant must be destroyed and provide compensation to an owner of a citrus plant that has been destroyed.

The bill would require that TDA provide compensation to owners of citrus trees that were destroyed in order to manage a disease outbreak such as citrus canker. Since citrus canker disease is not currently found in Texas, this bill is not anticipated to have a significant fiscal impact.

However, based on the data from the current outbreak of citrus canker disease in Florida, the cost of such an incident, in terms of compensation to grove owners to the state could be as high as \$1,040,800 a fiscal year. This estimate is based on the destruction of 32,525 citrus trees, given a plant density of 125 citrus trees per acre and a compensation rate of \$26 per tree, up to a maximum of \$4,000 per acre for commercial citrus.

The bill would also authorize TDA to seek an agricultural warrant to carry out certain inspection or quarantine activities necessary to manage or eradicate a plant pest or disease. TDA does not expect to pursue a warrant until all efforts have been exhausted to gain access to property; therefore, the need for a warrant is expected to be infrequent. In those cases where a warrant is required, the resources needed to obtain a warrant could be absorbed within TDA's current appropriations. Therefore, there would be no significant implication for TDA to obtain an agricultural warrant.

Local Government Impact

No significant 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, KJG