

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 8, 2007

TO: Honorable Steve Ogden, Chair, Senate Committee on Finance

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

IN RE: SB1848 by Duncan (Relating to state fiscal matters.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend numerous provisions of the Code of Criminal Procedure, the Education Code, the Family Code, the Government Code, the Local Government Code, and the Property Code, relating to state fiscal matters and would provide clarification on numerous issues concerning the Comptroller's administrative duties, government accounting practices, and reporting requirements.

The bill would amend Article 103.0031(e) of the Code of Criminal Procedure to require a county or municipality that enters into a collection contract to give 30 percent of the aggregate amount collected to the private attorney or vendor, with the remainder allocated in accordance with Article 103.003 and Chapter 133 of the Local Government Code.

The bill would amend, repeal, and clarify various sections of the Education Code relating to the Permanent School Fund 0044 and the Available School Fund 0002.

The bill would authorize the funds created by HB 1945, 77th Legislature Regular Session (2001) to pay for the expenses of managing and administering the assets of the funds.

The bill would change the Comptroller's monthly remittance to county salary and contributions funds under Government Code Chapters 25 and 26 to a quarterly basis.

The bill would remove reference to retired judge or justice from Section 74.061(d) of the Government Code.

The bill would remove the requirement of the Comptroller to contract with an agency to perform an audit on paid claims.

The bill would clarify that cash on an overnight basis held by the State Treasury in lieu of securities and obligations does not constitute a deposit of state or public funds requiring collateral.

The bill would allow the State Treasury to select the most advantageous method of sale of notes relating to a General Revenue Fund 0001 cash shortfall.

The bill would make certain personal identifying information a disclosure exception to the Public Information Act unless, as allowed by statute, the person elected to make the information available to the public.

The bill would allow state agencies to provide written or electronic earnings statements approved by the Comptroller.

The bill would amend several sections of the Government Code relating to longevity pay, to comply with the current \$20 for every two years of lifetime service credit.

The bill would amend various sections of the Government Code relating to merit raises, promotions, and demotions; and it would clarify that salary Schedule A is no longer divided into steps.

The bill would amend various sections of the Government Code relating to travel expenses, allowing the Comptroller to determine the documentation and approval necessary.

The bill would amend Chapter 661 and Section 662.010 of the Government Code to clarify vacation leave and holiday pay for state employees.

The bill would amend Chapter 2107 of the Government Code to allow for the deduction of a person's tax delinquency or indebtedness to the state from amounts owed to the person and paid by the state.

The bill would amend Chapter 2115 of the Government Code clarify provisions relating to the recovery of state agency overpayments.

The bill would amend Section 117.002 of the Local Government Code to remove the bail bond exception of unclaimed local funds deliverable to the Comptroller.

The bill would amend various sections of the Property Code relating to unclaimed property reporting, disposition, and claims.

The bill would repeal Chapter 2112 of the Government Code and the requirement that state agencies and institutions of higher education audit utility billings every four years.

Except for bill SECTIONS 4, 5, 13, 14, 31, 32, 33, and 59(1), which would take effect September 1, 2007, this bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, SECTIONS 6, 9, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, and 59 (2),(3), and (4) would take effect on the 91st day after the last day of the legislative session; and SECTIONS 1, 2, 3, 7, 8, 10, 11, 12, 17, 18, 28, 34, 35, 36, 47, 53, 54, 55, 56, 57, and 58 would take effect September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, CT, SD