

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 10, 2009

TO: Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

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

IN RE: HB70 by Guillen (Relating to the issuance of an occupational license to certain applicants with criminal convictions.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB70, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

This bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2009
2010	(\$52,146)	\$52,146	0.5
2011	(\$26,146)	\$26,146	0.5
2012	(\$26,146)	\$26,146	0.5
2013	(\$26,146)	\$26,146	0.5
2014	(\$26,146)	\$26,146	0.5

Fiscal Analysis

The bill would amend the Occupations Code to allow various regulatory agencies to provide licenses or temporary licenses to applicants who have felony and misdemeanor convictions that are older than five years.

The bill would take effect immediately upon receiving a two-thirds vote of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2009.

Methodology

Based on the analysis of the Board of Professional Engineers, the Board of Architectural Examiners, the Executive Council of Physical Therapy & Occupational Therapy Examiners, the Real Estate Commission, the Board of Professional Geoscientists, the Board of Public Accountancy, the Board of Podiatric Medical Examiners, the Board of Plumbing Examiners, the Department of Licensing and Regulation, and the Board of Tax Professional Examiners, these agencies would be able to implement the provisions of the bill using existing agency resources.

The Board of Chiropractic Examiners estimates that the agency would need 0.5 additional FTEs to implement the database changes and to monitor ongoing criminal records for provisional license holders. The Board of Professional Land Surveyors estimates implementing the provisions of the bill would require modifying database for the provisional license status.

This analysis assumes that any increased costs to agencies which are required to generate sufficient revenue to cover their costs of operation would be offset by an increase in fee generated revenue.

Technology

The Board of Chiropractic Examiners estimates there would be a cost of \$18,000 in 2010 for modifying its database to implement the provisions of the bill. The Board of Professional Land Surveyors estimates technology costs for database modification would be \$4,000 in 2010.

Local Government Impact

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

Source Agencies: 329 Real Estate Commission, 337 Board of Tax Professional Examiners, 452 Department of Licensing and Regulation, 456 Board of Plumbing Examiners, 457 Board of Public Accountancy, 459 Board of Architectural Examiners, 460 Board of Professional Engineers, 464 Board of Professional Land Surveying, 481 Board of Professional Geoscientists, 508 Board of Chiropractic Examiners, 512 Board of Podiatric Medical Examiners, 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

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