

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

TO: Honorable Burt R. Solomons, Chair, House Committee on State Affairs

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

IN RE: HB90 by Martinez, "Mando" (Relating to the sale of toy-like lighters in this state; imposing a penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would add Chapter 797 to the Health and Safety Code to prohibit the sale or distribution of toy-like lighters (as defined in the bill). Certain lighters would be exempt from this prohibition. A violation of the prohibition would be a Class C misdemeanor. The State Fire Marshal (located within the Texas Department of Insurance) would be authorized to adopt rules to administer the new chapter. The bill would take effect September 1, 2009.

A Class C misdemeanor is punishable by a fine not to exceed \$500. It is anticipated that any revenue gained at the state or local government level would not be significant. In addition, the State Fire Marshal anticipates that activities related to adopting rules and administering Chapter 797 could be accomplished using existing levels of resources.

Local Government Impact

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

Source Agencies: 454 Department of Insurance

LBB Staff: JOB, KJG, DB, BM