

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 30, 2009**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Business & Industry

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

**IN RE: HB311** by Leibowitz (Relating to certain fees authorized by the Texas Residential Construction Commission Act.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB311, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

The 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:**

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

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue (Loss) from <i>General Revenue Fund</i></b>	<b>Probable Revenue Gain from <i>General Revenue Fund</i></b>
	<b>1</b>	<b>1</b>
2010	(\$50,000)	\$50,000
2011	(\$50,000)	\$50,000
2012	(\$50,000)	\$50,000
2013	(\$50,000)	\$50,000
2014	(\$50,000)	\$50,000

**Fiscal Analysis**

The bill would amend the Property Code to remove the authority of the Texas Residential Construction Commission (TRCC) to charge a fee for a homeowner to submit a request for a state-sponsored home inspection or to file a complaint, request, or other proceeding.

The bill would take effect on September 1, 2009.

**Methodology**

Based on the analysis of TRCC, it is assumed the provisions of the bill would result in a loss of approximately \$50,000 in each fiscal year from inspection fees that would have been paid by homeowners under current law. Currently, the agency has an estimated appropriation to

accommodate the costs of third-party inspections, which is supported by revenues collected from homeowner inspection fees, fee reimbursements from builders, and home registration fees. It is assumed the agency would assess or collect fees from home registrations in an amount sufficient to offset the loss of homeowner inspection fee revenue.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 370 Residential Construction Commission

**LBB Staff:** JOB, JRO, MW, TG