

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB3065 by Bohac (Relating to municipal registration of vacant buildings in certain counties; providing a penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would add Subchapter H to Chapter 214 of the Local Government Code to authorize a municipality located in a county with a population of 1.5 million or more to adopt an ordinance to require an owner of a vacant building to register the building by filing a completed registration form with a designated municipal official. The bill would establish the minimum requirements for an ordinance governing registration of a vacant building and would allow the municipality to charge a fee in an amount commensurate with expenses incurred by the municipality to administer the registration program. A violation of a registration ordinance would be a Class C misdemeanor.

The bill would amend Subchapter Z, Chapter 214, Local Government Code, to prohibit a municipality from requiring a tenant to acquire a license or permit issued by the municipality as a condition for occupying or leasing an individual dwelling unit in a single-family, duplex, or multifamily structure. The bill would allow a municipality to require a license or permit for the nonresidential use of a dwelling unit.

The bill would take effect January 1, 2010.

Local Government Impact

Based on the population criteria and the 2000 U.S. Census, the new Subchapter H would apply to municipalities located in Dallas and Harris counties. It is assumed that upon release of the 2010 U.S. Census, Subchapter H would also apply to municipalities located in Tarrant County. No significant fiscal implication to units of local government is anticipated.

There would be no fiscal impact to a municipality as a result of the proposed changes to Subchapter Z unless a municipality has such a policy in place, in which case the municipality would experience a revenue loss. The amount of loss would depend on the number of licenses or permits that otherwise would have been issued, but is not expected to be significant.

Source Agencies:

LBB Staff: JOB, DB, SD