

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

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

**March 30, 2009**

**TO:** Honorable Mark Homer, Chair, House Committee on Culture, Recreation & Tourism

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

**IN RE: HB3109** by Parker (Relating to offenses involving boating safety and the disposition of fines for certain water safety offenses.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Parks and Wildlife Code relating to offenses involving boating safety and the disposition of fines for certain water safety offenses. The bill would permit any fines incurred as a result of an arrest made by a marine safety enforcement officer other than a game warden, to be remitted to the entity employing the marine safety enforcement officer. The bill would provide that all costs of the court would be retained by the court having jurisdiction of the offense.

The Texas Parks and Wildlife Department (TPWD) estimates that under current law 60 percent is remitted to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, which represents an average revenue loss of \$70,714 in fiscal year 2010 and each year thereafter. The bill would take immediate effect if the bill receives two-thirds the vote of all members. Otherwise, the bill would take effect September 1, 2009.

**Local Government Impact**

The bill would have a minimal positive impact on local government as any fines incurred as a result of an arrest made by a marine safety enforcement officer other than a game warden shall be remitted to the entity employing the marine safety enforcement officer.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** JOB, WK, TB