

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 29, 2009

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

IN RE: HB3435 by Hamilton (Relating to exempting utility property from impact fees and assessments in certain districts.), **As Introduced**

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| No fiscal implication to the State is anticipated. |
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The bill would prohibit certain districts from imposing an impact fee or assessment on the property, including the equipment, rights-of-way, facilities, or improvements, of an electric utility or a power generation company, a gas utility, a telecommunications provider, or a person who provides the public cable service, video service, or advanced telecommunications services.

Local Government Impact

The applicable districts are certain Development, Improvement, and Management Districts; Fresh Water Supply Districts; Municipal Utility Districts; and Water Control and Improvement Districts.

An applicable special district would experience a revenue loss if the district currently imposes an impact fee. The loss would vary by district depending on the amount of fee currently imposed and on the number of utilities assessed the fees. An applicable special district that does not impose an impact fee on any of the listed utilities would not experience a fiscal impact. None of the districts contacted by the Legislative Budget Board currently imposes an impact fee and therefore would not experience a fiscal impact.

Municipally owned or county owned utilities would not be affected by the bill, as they are exempt from impact fees.

Source Agencies:

LBB Staff: JOB, WK, DB