

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 18, 2009

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

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

IN RE: HB3485 by Coleman (Relating to the administration of certain county services and duties, including the administration of county assistance districts.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, Probate Code, and Tax Code relating to administration of various county services and duties.

The bill would also amend Section 157 of the Local Government Code to authorize an intergovernmental pool operating under Chapter 119 or its successor, pursuant to certain policies, to require reimbursement for the provision of punitive damage coverage from a person to whom the pool provides coverage.

Additionally, the bill would amend Section 387 of the Local Government Code to authorize the creation of more than one county assistance district in a county and sets out procedures for creating more than one district. The bill would also amend statutes regarding powers, duties, operations, elections, and sales and use tax change of a county assistance district. Under current statute, if an election is held and the vote is against the creation of a district, another election may not be held prior to the first anniversary of the most recent election concerning the creation. Under the proposed change in statute, one or more elections may be held, and the limit on when the election could be held would be removed.

Local Government Impact

It is anticipated that the proposed changes in the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, Probate Code, and Tax Code relating to administration of various county services and duties would provide a positive fiscal impact for counties that would vary by county.

It is anticipated that the proposed addition to Chapter 157, Local Government Code, would provide a positive fiscal impact that would depend on the costs associated with punitive damage coverage.

Based on analysis provided from the Texas Association of Counties (TAC), the costs to implement the changes in Section 387 of the Local Government Code would vary by county depending on if an associated election coincides with other elections previously determined to take place in the county or if an election is held alone. As an example, TAC cited special election costs for Waller County at \$20,920 and Kaufman County at \$35,000. (Election costs vary depending not only on the type of election, but also on the number of eligible voters and number of precincts.)

Source Agencies:

LBB Staff: JOB, DB, KJG, TP