

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

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

IN RE: HB3739 by Coleman (Relating to regulation of and access to certain cemeteries; providing penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3739, 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:

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

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>General Revenue Fund</i> 1	Probable (Cost) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2009
2010	\$65,142	(\$65,142)	1.0
2011	\$59,142	(\$59,142)	1.0
2012	\$62,099	(\$62,099)	1.0
2013	\$62,099	(\$62,099)	1.0
2014	\$65,204	(\$65,204)	1.0

Fiscal Analysis

The bill would amend the Health and Safety Code to expand the Funeral Service Commission's (FSC) enforcement responsibilities. The bill would require the FSC to adopt rules to implement the provisions of the bill.

The bill would take effect September 1, 2009.

Methodology

Based on the analysis provided by FSC, the bill would require 1 new FTE, legal assistant, to review additional complaints regarding the validity of agreements between landowners and the public

regarding ingress and egress from cemeteries. The FTE would cost \$46,000 for salary and wages with associated benefits cost of \$13,142 in each fiscal year of 2010-11. Additional one time costs in fiscal year 2010 would be \$6,000. This analysis assumes that any increased costs resulting from the implementation of the provisions of this bill would be offset with fee-generated general revenue.

Based on the analysis provided by the Department of Banking, this bill would have no fiscal impact on the agency.

Technology

The technology impact of the bill would be \$3,500 in fiscal year 2010.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 451 Department of Banking, 513 Funeral Service Commission

LBB Staff: JOB, CL, MW, CH, JRO