

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

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

**April 13, 2009**

**TO:** Honorable Tommy Merritt, Chair, House Committee on Public Safety

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

**IN RE: HB4061** by Smith, Todd (Relating to the consequences of an arrest for or conviction of certain intoxication offenses. ), **Committee Report 1st House, Substituted**

<b>Estimated Two-year Net Impact to General Revenue Related Funds</b> for HB4061, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2011.
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**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>Texas Mobility Fund</i> 365
2010	\$470,620
2011	\$470,620
2012	\$470,620
2013	\$470,620
2014	\$470,620

**Fiscal Analysis**

The bill would require a court when placing a person on community supervision for certain intoxication offenses to require the person to have an ignition interlock device placed on their vehicle or the vehicle they most often drive. Under current statute, this condition of community supervision is up to the court's discretion.

The bill would remove from statute other procedures related to requiring a person placed on community supervision to have an ignition interlock device.

The bill would shorten the time frame in which an order granting an occupational driver's license to a person whose driver's license has been suspended for certain intoxication offenses may take effect.

## **Methodology**

According to the Department of Public Safety (DPS), the provisions of the bill would result in an estimated increase of 47,062 licenses issued with the interlock restriction indicated on the license. The \$10 fee for a duplicate license would be charged, which would result in a revenue gain of \$470,620 to the Mobility Fund. Based on analysis by DPS, it is assumed costs associated with decreasing the time frame for granting an occupational driver's license could be absorbed within existing resources.

## **Local Government Impact**

The number of persons who would have to obtain an interlock device at their own expense and provide evidence to the court of the installation would vary by court. A court would experience an increase in administrative costs that could be absorbed within existing resources.

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 696 Department of Criminal Justice

**LBB Staff:** JOB, ESi, GG, LG, DB