

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Frank Corte Jr., Chair, House Committee on Defense & Veterans' Affairs

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

IN RE: HB4092 by Farrar (Relating to grants for homeland security and border security purposes.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill requires that only one state agency, the Department of Public Safety (DPS) administer all federal homeland security funds and that DPS adopt a formula for selecting grant recipients and that it could not use any other formula or method for distributing and granting federal funds. The bill requires that a report on the DPS activities related to the formula distribution of federal homeland security grant funding be filed, no later than December 1 of each year, with the Governor, Lieutenant Governor, Speaker of the House of Representatives, and members of the legislature.

Federal regulations generally take precedence in the administration and distribution of all categories of federal homeland security grants. Also, federal regulations determine the qualifications of the state agency that may serve as state administrator for each type of federal funding source. According to DPS the bill would have no impact on General Revenue. However, the bill would prohibit the state from following federal funding distribution and administration guidelines and would result in the loss of an undetermined amount of federal funds to the state.

The provisions of the bill likely could not be implemented and are in conflict with federal requirements for the disbursement of federal homeland security funds.

This bill takes effect September 1, 2009

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KK, MH, GD