

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

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

**April 19, 2009**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Business & Industry

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

**IN RE: HB4395** by Deshotel (Relating to the regulation of boat manufacturers, distributors, and dealers; providing a civil penalty.), **Committee Report 1st House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Occupations Code relating to dealer agreements and other business requirements for boat dealers, distributors, and manufacturers. The bill would provide that a dealer's sales territory must be an exclusive area of at least 50 miles. The bill would provide that good cause be required for a nonrenewal of an agreement between a boat dealer and manufacturer, and the manufacturer may not pay the dealer a labor rate for warranty work that is less than the rate for retail customers when performing non-warranty work. A person cannot be a boat dealer, distributor, or manufacturer unless they hold a license issued by the Texas Parks and Wildlife Department. The bill would provide for a civil penalty of \$500 for persons violating code provisions, and provide that the Office of Attorney General sue to collect such penalties. To the extent the bill would amend procedures relating to regulations in the Occupations Code, no significant fiscal implication to the State is anticipated. The bill would take effect September 1, 2009.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 802 Parks and Wildlife Department

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