

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

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

**March 20, 2009**

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

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

**IN RE: SB968** by West (Relating to interactive water features and fountains.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would add Section 341.0695 to the Health and Safety Code to authorize a county or municipality to require the owner or operator of an interactive water feature or fountain within the entity's jurisdiction to obtain a permit for operation of the water feature or fountain. The county or municipality would also be authorized to inspect the feature or fountain for compliance with health requirements set forth in the bill. The county or municipality would be authorized to impose and collect a fee to cover the costs of a permit and inspection if the auditor for the county or the municipality reviewed the program every two years to ensure the fees do not exceed the county's or municipality's related costs and if those entities refund to the permit holders any revenue determined by the auditor to exceed the cost of the program.

Not later than the 30th day after the effective date of the bill, the executive commissioner of the Health and Human Services Commission would be required to adopt emergency rules as necessary to implement the Section 341.0695 proposed by the bill.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

According to the Health and Human Services Commission, any costs associated with implementing provisions of the bill can be absorbed within existing resources.

**Local Government Impact**

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

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JOB, DB