

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

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

**April 24, 2009**

**TO:** Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

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

**IN RE: SB1090** by Deuell (Relating to the regulation of the practice of construction and program management for capital improvement projects of governmental entities.), **As Introduced**

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

The bill would require a person engaged in the practice of construction and program management as a construction manager-agent for a governmental entity authorized to enter into a public works contract, to hold a certificate of registration issued by the Texas Department of Licensing and Regulation (TDLR). The bill would require the executive director of TDLR to prescribe an application form, recognize certification by a national construction and program management organization, issue a certificate of registration to qualified applicants, and establish terms of the certificate of registration. The bill would authorize TDLR to collect a fee. The bill would make conforming amendments to the Education, Government, Local Government, and Water Codes.

Based on the analysis of the Facilities Commission, the Higher Education Coordinating Board, and the Texas Education Agency, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

TDLR indicates that there would be some cost to implement the provisions of the bill, but this analysis assumes that these costs could be absorbed within the agency's existing budget.

**Local Government Impact**

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

**Source Agencies:** 303 Facilities Commission, 304 Comptroller of Public Accounts, 452 Department of Licensing and Regulation, 781 Higher Education Coordinating Board, 701 Central Education Agency

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