

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 7, 2011

TO: Honorable Harvey Hilderbran, Chair, House Committee on Ways & Means

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

IN RE: HB258 by Gonzalez, Naomi (Relating to the amount of the state traffic fine.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB258, As Introduced: a positive impact of \$40,555,000 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$12,341,000
2013	\$28,214,000
2014	\$28,456,000
2015	\$28,700,000
2016	\$28,947,000

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from General Revenue Fund 1	Probable Revenue Gain/(Loss) from Trauma Facility And Ems 5111
2012	\$12,341,000	\$6,078,000
2013	\$28,214,000	\$13,896,000
2014	\$28,456,000	\$14,016,000
2015	\$28,700,000	\$14,136,000
2016	\$28,947,000	\$14,258,000

Fiscal Analysis

SECTION 1 of the bill would amend Chapter 542.4031(a) of the Transportation Code to increase the state traffic fine from \$30 to \$45. Current law calls for the imposition of the state traffic fine on a criminal defendant upon conviction of an offense under Transportation Code Subtitle C, Rules of the Road. Five percent of the revenue realized from the state traffic fine is remitted to the local government entity as a service fee for the collection of the court cost. The remaining sum is remitted to the Comptroller of Public Accounts on a quarterly basis; where 67 percent is deposited to the credit of the General Revenue Fund and 33 percent is deposited to the General Revenue-Dedicated Trauma and Emergency Medical Services Account under Section 780.003 of the Health and Safety Code.

Methodology

The bill would implement a recommendation in the report, "Increase The State Traffic Fine To

Improve Traffic Safety" in the Legislative Budget Board's *Government Effectiveness and Efficiency Report* submitted to the Eighty-second Texas Legislature, 2011. Projections are based on current estimates of revenue accruing to both the General Revenue Fund and the General Revenue-Dedicated Trauma and Emergency Medical Services Account, adjusted for the change in court cost amount, and reduced by 5 percent to allow for smaller overall collections due to an increase in the amount of the fine.

According to Section 51.607 of the Government Code, regarding the implementation of new or amended court costs and fees, a change in a court cost or fee would not take effect until January 1 of the year following the effective date of the bill. The provisions in the bill would therefore take effect January 1, 2012, and therefore there would be two quarterly remittances of the fee revenue at the higher rate in fiscal year 2012.

Local Government Impact

Local governments would collect 5 percent of the additional amounts generated by the provisions of the bill; by the Office of Court Administration's approximation this would generate an estimated \$2.4 million for local governments statewide annually.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JOB, JI, PM, KKR