

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 22, 2011

TO: Honorable Sid Miller, Chair, House Committee on Homeland Security & Public Safety

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

IN RE: HB299 by Berman (Relating to the repeal of the driver responsibility program.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB299, As Introduced: a negative impact of (\$70,722,381) through the biennium ending August 31, 2013.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$19,280,668)
2013	(\$51,441,713)
2014	(\$70,853,673)
2015	(\$72,157,673)
2016	(\$73,084,673)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/(Loss) from <i>Trauma Facility And Ems</i> 5111	Change in Number of State Employees from FY 2011
2012	\$12,284,332	(\$31,565,000)	(\$30,940,000)	(23.5)
2013	\$12,700,287	(\$64,142,000)	(\$62,872,000)	(35.0)
2014	\$13,134,327	(\$83,988,000)	(\$82,325,000)	(47.0)
2015	\$13,134,327	(\$85,292,000)	(\$83,604,000)	(47.0)
2016	\$13,134,327	(\$86,219,000)	(\$84,512,000)	(47.0)

Fiscal Analysis

This bill would amend the Health and Safety Code and the Transportation Code to repeal the Driver Responsibility Program (DRP).

The bill would repeal Chapter 708 of the Transportation Code, removing the authority for the Department of Public Safety (DPS) to impose or collect any surcharge fees for driver license points, driving while intoxicated, driving while license invalid, driving without financial responsibility, and driving with no license. The bill would provide for the collection of surcharges imposed before the effective date.

The bill would amend Chapter 780 of the Health and Safety Code to remove the requirement that DPS remit collected surcharges to the Comptroller of Public Accounts, remove the statutory allocations from DRP surcharges, and require the Comptroller of Public Accounts to deposit any gifts, grants,

donations, and legislative appropriations for that purpose to the Designated Trauma Facility and Emergency Medical Services Account No. 5111 . The bill would amend Chapter 542 of the Transportation Code to remove DRP surcharge collections from the determination of the point at which collections from the state traffic fine would be deposited to Texas Mobility Fund No. 0365. The bill would amend Chapter 601 of the Transportation Code to remove the requirement to give notice of DRP surcharges to offenders.

The bill would take effect immediately upon enactment, assuming that it receives the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2011.

Methodology

The bill would provide that all surcharges assessed prior to its effective date would continue to be due to the state. DRP surcharges are imposed on offenders for a period of 36 months. DPS reports that the average revenue billed is \$375 million per fiscal year and the average revenue collected is \$168 million per fiscal year.

Estimated revenue impacts were derived from the 2012-13 Biennial Revenue Estimate, adjusted for for prior surcharges assessed and expected to be remitted to the state through fiscal year 2013 and projected through 2016. If the bill were to take effect immediately, it is assumed the loss of revenue in fiscal years 2012-2014 would be higher because fewer offenses occurring in fiscal year 2011 would be subject to a DRP surcharge.

Since surcharges assessed prior to the effective date of the bill would continue to be collected it is assumed DPS will maintain a reduced level of full-time equivalents to administer the program during the next biennium. Beginning in fiscal year 2012, General Revenue savings would be realized from reduced costs relating to vendor compensation for the collection of surcharges and DPS FTEs responsible for customer service related to DRP.

Technology

The Department of Public Safety reportst that systems analysis and programming changes would be needed as a result of this bill; the cost of these changes could be absorbed.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety

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