

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 10, 2011**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

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

**IN RE: HB442** by Guillen (Relating to the establishment of an emergency radio infrastructure account.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB442, As Engrossed: a negative impact of (\$21,200,000) through the biennium ending August 31, 2013.

However, there would be a corresponding gain of \$21,200,000 to the new GR - Dedicated Account, thus the bill would not affect budget certification.

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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2012	(\$10,600,000)
2013	(\$10,600,000)
2014	(\$10,600,000)
2015	(\$10,600,000)
2016	(\$10,600,000)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue (Loss) from General Revenue Fund 1</b>	<b>Probable Revenue Gain from GRD Account-Emergency Radio Infrastructure</b>
2012	(\$10,600,000)	\$10,600,000
2013	(\$10,600,000)	\$10,600,000
2014	(\$10,600,000)	\$10,600,000
2015	(\$10,600,000)	\$10,600,000
2016	(\$10,600,000)	\$10,600,000

**Fiscal Analysis**

The bill would amend Chapter 411 of the Government Code, regarding the Texas Department of Public Safety (DPS), to add new Subchapter N, relating to an interoperable statewide emergency radio infrastructure.

The bill would create new GR Account—Emergency Radio Infrastructure. The bill would shift to the new GR Account the current allocations of money from certain court fees to GR Account 5028—Fugitive Apprehension, and would amend Chapter 133 of the Local Government Code (criminal and

civil fees payable to the Comptroller) to specify the allocation is to the new GR Account. The new GR Account would also consist of the interest attributable to money held in the account. Revenue in the new GR Account could only be appropriated to DPS for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure or other specified by the provisions of this bill purposes.

The bill would take effect September 1, 2011.

### **Methodology**

The bill's fiscal impact of the provisions of the bill regarding emergency radio infrastructure was based on the 2012-13 Biennial Revenue Estimate's forecast of revenues and allocations from the court fees affected by the bill. Provisions of the bill regarding GR Account 0107 - Comprehensive Rehabilitation and from 6.0413 percent to 8.0143 percent to GR Account 5073 - Fair Defense Account can not be estimated.

This account has lost its dedication and is considered a dormant account. Per the Dormant Account Statute (Section 403.0915, Government Code) the current balance has been transferred to General Revenue Fund 0001 and the account is closed. Further revenues, ordinarily deposited to Account 5028 will subsequently be deposited to General Revenue Fund 0001.

This legislation would create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill is exempt of the funds consolidation review by the current Legislature.

### **Local Government Impact**

The bill would amend Chapter 133 of the Local Government Code (criminal and civil fees payable to the Comptroller) to change the percentage of allocation of court fees: from 5.3218 percent to 9.8218 that would be allocated to GR Account 0107 - Comprehensive Rehabilitation and from 6.0413 percent to 8.0143 percent to GR Account 5073 - Fair Defense Account.

**Source Agencies:** 304 Comptroller of Public Accounts

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