

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION
Revision 1

March 28, 2011

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

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 Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB442, As Introduced: a negative impact of (\$45,800,000) through the biennium ending August 31, 2013.

However, there would be a corresponding gain of \$45,800,000 to the new GR - Dedicated Account and would not affect 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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$22,900,000)
2013	(\$22,900,000)
2014	(\$22,900,000)
2015	(\$22,900,000)
2016	(\$22,900,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>GR - Emergency Radio Infrastructure</i>
2012	(\$22,900,000)	\$22,900,000
2013	(\$22,900,000)	\$22,900,000
2014	(\$22,900,000)	\$22,900,000
2015	(\$22,900,000)	\$22,900,000
2016	(\$22,900,000)	\$22,900,000

Fiscal Analysis

This 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 a 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 related purposes.

This bill would take effect September 1, 2011.

Methodology

The bill's fiscal impact was based on the 2012-13 Biennial Revenue Estimate's forecast of revenues and allocations from the court fees affected by the bill.

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 do one or more of the following: 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. Legislative policy, implemented as Government Code 403.094, consolidated special funds (except those affected by constitutional, federal, or other restrictions) into the General Revenue Fund as of August 31, 1993, and eliminated all applicable statutory revenue dedications as of August 31, 1995. Each subsequent Legislature has reviewed bills that affect funds consolidation. 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 create an emergency radio infrastructure account. A portion of this funding would be distributed as grants to regional councils of government that have entered into interlocal agreements, presumably for expenditures relating to emergency radio infrastructure.

Grants to regional councils could potentially reduce costs currently used for construction and maintenance of emergency radio infrastructure; however, savings would vary depending on the applicability and monetary amount of grants created under the provisions of the bill.

Source Agencies: 304 Comptroller of Public Accounts

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