

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

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

**May 25, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB1788** by Farias (Relating to capturing reptiles and amphibians by nonlethal means; providing a penalty. ), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1788, As Passed 2nd House: an impact of \$0 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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

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

<b>Fiscal Year</b>	<b>Probable Revenue Gain from <i>Game, Fish, Water Safety Ac</i> 9</b>
2012	\$105,698
2013	\$105,698
2014	\$105,698
2015	\$105,698
2016	\$105,698

The bill would amend portions of the Parks and Wildlife Code to establish a reptile and amphibian hunting stamp. With the purchase of a hunting license and the new stamp, an individual is permitted to capture (without using a trap) indigenous reptiles or amphibians by non-lethal means, including capturing on a shoulder of a road or unpaved area of a public right-of-way, under certain conditions. An individual would be prohibited from using an artificial light from a motor vehicle in capturing or attempting to capture a reptile or amphibian. The bill would exempt persons performing activities related to operation and maintenance of pipelines or to oil or gas exploration or production or employees of certain utilities who capture and subsequently release reptiles or amphibians from hunting license and stamp requirements.

The bill would require the Texas Parks and Wildlife Commission to adopt rules, along with the form, design and manner of stamp issuance by March 1, 2012. The stamp fee would be \$10 and valid for a state fiscal year, except for the first year when the fee will be prorated from the date of initial issuance

to the end of the fiscal year. The bill would take immediate effect if the bill receives two-thirds the vote of all members in both houses. Otherwise, the bill would take effect September 1, 2011.

### **Fiscal Analysis**

The total fiscal impact to the Texas Parks and Wildlife Department (TPWD) is increased revenue of \$105,698 per fiscal year to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9. Additional transaction costs for the new stamp could be absorbed within TPWD's existing resources.

### **Methodology**

TPWD reports an estimated 2,297 residents and 1,026 non-residents currently not hunting would purchase a hunting license and stamp. Using the demographics from the general hunting population (youth, general, senior), this analysis applies that pro-rata to this new sub-population of hunters; resulting in 897 youth, 749 non-resident five-day, 1,526 general resident, and 151 resident seniors. At \$7 (youth, who do not require a stamp, all others include the \$10 stamp), \$58 (non-resident five-day), \$35 (general resident) and \$17 respectively (resident seniors), the total impact to TPWD is increased revenue of approximately \$105,698 per fiscal year. This analysis assumes non-residents would purchase a five-day hunting license (\$48) as opposed to a general non-resident hunting license (\$315).

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** JOB, TB, SZ, ZS, KM