

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 12, 2011

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

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

IN RE: HB2148 by Eiland (Relating to oyster shells and an oyster shell recovery and replacement program.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2148, As Introduced: 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:

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

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>Game, Fish, Water Safety Ac</i> 9
2012	\$155,308
2013	\$155,308
2014	\$155,308
2015	\$155,308
2016	\$155,308

The bill would amend portions of the Parks and Wildlife Code related to public and private oyster beds. The bill would create a new subaccount in the General Revenue-Dedicated Game, Fish and Water and Safety Account No. 9 for oyster shell recovery and replacement. The Texas Parks and Wildlife Department (TPWD) would collect a fee of \$0.20 (or an amount set by the TPW Commission) from a licensed commercial oyster fisherman for each box of oysters harvested from Texas waters. Each box will be affixed with an oyster shell recovery tag at the time of harvest and contain information required by the Department of State Health Services. The account may also accept grants, donations, and retain interest. Money in the new account will be used only for the recovery and enhancement of public oyster reefs. The bill would amend provisions relating to closing areas, so that before closing any area, the Commission must provide notice 72 hours before closing. The bill would provide that areas closed must reopen by the beginning of the next oyster season unless biological data indicates otherwise. The bill would take effect September 1, 2011.

Fiscal Analysis

TPWD estimates an annual revenue gain to the Game, Fish and Water Safety Account No. 9 of \$155,308 per fiscal year, with additional costs of \$46,592 per fiscal year.

Methodology

Based on historical data, TPWD estimates that approximately 776,538 boxes will be harvested from Texas waters each year. At 0.20 per box, the additional revenue is estimated to be \$155,308 per year. The oyster shell recovery tag is estimated to cost \$0.06 for each tag for a total of \$46,592 per year in additional costs. However, this analysis assumes that the costs could be absorbed within the department’s existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

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