

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

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

IN RE: **HB2273** by Anchia (Relating to the continuation and functions of the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments; providing an administrative penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2273, As Introduced: a positive impact of \$16,456 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	\$8,228
2013	\$8,228
2014	\$8,228
2015	\$8,228
2016	\$8,228

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from General Revenue Fund 1	Probable (Cost) from General Revenue Fund 1
2012	\$16,577	(\$8,349)
2013	\$16,577	(\$8,349)
2014	\$16,577	(\$8,349)
2015	\$16,577	(\$8,349)
2016	\$16,577	(\$8,349)

Fiscal Analysis

The bill is the Sunset bill for the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments, a governor-appointed independent licensing board that is administratively attached to the DSHS Professional Licensing and Certification Unit. The bill contains a number of Sunset Advisory Commission recommendations on the Committee including updates relating to the Committee’s membership and operational structure to meet Sunset model licensing standards regarding eligibility of public members; prohibitions on Committee members; governor designation of the presiding officer; grounds for removal; and a training program for Committee members. The bill also provides a new Sunset date of 2017 for the Committee’s next review.

Additionally the bill requires the Committee to obtain fingerprint-based criminal history checks on all

applicants and license holders, except certain license holders who are employed by school districts and for whom a criminal history check has already been performed.

The bill would take effect September 1, 2011.

Methodology

It is assumed that implementation of the bill would require that 484 additional background and criminal history checks, including Federal Bureau of Investigation (FBI) fingerprint-based checks, be performed in each fiscal year. The Department of Public Safety (DPS) would conduct these checks.

The bill would result in a total increase in revenue of \$16,577 in each fiscal year of the biennium from the \$34.25 fee collected for the checks paid directly to DPS by the applicants. However, a portion of this fee revenue, \$17.25 per check, is returned to the FBI for professional services as required by federal statute; which would result in a cost of \$8,349 in each fiscal year.

The additional 484 fingerprint-based criminal history checks account for a very small percentage of the criminal history checks DPS facilitates each year, therefore it is assumed that any costs associated with these additional checks can be absorbed within existing DPS resources. DSHS also assumes that they would be able to absorb any costs associated with the fingerprint-based checks as well as any other provisions in the bill within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 537 State Health Services, Department of, 405 Department of Public Safety

LBB Staff: JOB, CL, JF, KM, MB, NB