

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 3, 2011

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: HB2316 by Coleman (Relating to the administration of certain county services and duties, including the administration of county assistance districts.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, and Tax Code relating to administration of various county services and duties.

The bill would specifically amend Section 387 of the Local Government Code to authorize the creation of more than one county assistance district in a county and sets out procedures for creating more than one district. The bill also would amend statutes regarding powers, duties, operations, elections, and sales and use tax change of a county assistance district. Under current statute, if an election is held and the vote is against the creation of a district, another election may not be held prior to the first anniversary of the most recent election concerning the creation. Under the proposed change in statute, one or more election may be held, and the limit on when the election could be held would be removed.

Local Government Impact

It is anticipated that the proposed changes in the Code of Criminal Procedure, Election Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, and Tax Code relating to administration of various county services and duties would provide a positive fiscal impact for counties that would vary by county.

The costs to implement the changes in Section 387 of the Local Government Code would vary by county depending on whether an associated election coincides with another election previously determined to take place in the county or if an election is held alone; and the number of eligible voters and number of precincts.

Based on costs reported to the Secretary of State (SOS) in 2010 by a sampling of counties, municipalities, and special districts, the average cost incurred by a local government entity for an election is \$1.98 per registered voter. If a special election were to be held on the general election date, the local government would experience an increase in costs that would not likely be significant (because the state pays the majority of the costs). However, if a special election were to be held on a uniform election date other than the general election date, the local government would incur the full costs associated with conducting the special election (pay to election workers, fees for the use of polling locations, publishing notices, and printing ballots).

Source Agencies:

LBB Staff: JOB, KKR, TP