

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

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

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

IN RE: HB2317 by Miller, Doug (Relating to granting Hill Country counties regulatory authority and the authority to impose development fees for roadway infrastructure; providing penalties.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would add Subchapter M to Chapter 231 of the Local Government Code to authorize Hill Country counties to, by order, adopt land development regulations in the unincorporated area of the county. The bill would stipulate general regulations and procedures. Included in the procedures would be a requirement to hold an election to approve regulatory authority and to impose a roadway infrastructure cost recovery fee for necessary roadway infrastructure improvements to serve new development in the unincorporated area of the county.

The commissioners court of any of the affected counties would be required to hold a public hearing to consider the infrastructure improvements and infrastructure cost recovery fee, to post a notice of the hearing, and send a written notice by certified mail to the owner of the new development for which a fee is proposed.

A violation of orders adopted to enforce development regulation would be a misdemeanor offense punishable by a fine of not less than \$500 and not more than \$1,000.

Local Government Impact

There could be a positive fiscal impact from the roadway infrastructure cost recovery fees depending on whether a county adopts the regulations included in the bill; however, the amounts would vary and likely be offset by the costs incurred for roadway improvements.

Costs associated with enforcement and prosecution, and revenue gain from fines imposed and collected would vary depending on the number of offenses, but the amount is not anticipated to have a significant fiscal impact.

There would be a fiscal impact to local governments associated with an election; however, those costs would vary by locality and are not anticipated to be significant. 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 governmental entity for an election held is \$1.98 per registered voter.

Source Agencies:

LBB Staff: JOB, KKR, TP