

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 3, 2011

TO: Honorable Mike Hamilton, Chair, House Committee on Licensing & Administrative Procedures

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

IN RE: HB2419 by Davis, John (Relating to toilet accommodations at filling stations; providing penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2419, 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 Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain/ (Loss) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2011
2012	(\$293,565)	\$293,565	4.0
2013	(\$218,000)	\$218,000	4.0
2014	(\$218,000)	\$218,000	4.0
2015	(\$218,000)	\$218,000	4.0
2016	(\$218,000)	\$218,000	4.0

Fiscal Analysis

The bill would amend the Health and Safety Code adding an administrative penalty, not to exceed \$1,000, for any filling station that is in violation of Section 341.0615 of the Health and Safety Code relating to toilet accommodations at filling stations.

The bill would allow SOAH to administer any contested cases requested by the person in violation or if the person in violation fails to respond in a timely manner to a notice issued from an enforcement officer from the Board of Plumbing Examiners.

This bill would take effect September 1, 2011.

Methodology

Based on information and the analysis provided by the Board of Plumbing Examiners, it is assumed that there are 12,753 filling stations in Texas and that 2,000 new complaints each year would be generated under the provisions of the bill. The agency estimates that 2.0 Field Representative/Investigators at \$67,500 each and 2.0 Administrative Assistants at \$41,500 each, would be needed for the anticipated increase in workload to implement the provisions of the bill.

The agency estimates that direct mailings to each filling station would be required to familiarize the stations with the new requirements (assume 12,753 x \$0.75 each) totalling \$9,565 in fiscal year 2012. The agency also estimates \$66,000 would be needed in one time costs for 2 vehicles, 2 workstations, 2 desktop computers, 2 laptop computers, 2 printers, 2 telephones, 2 cell phones and a fax machine for the additional FTEs in fiscal year 2012.

This analysis assumes that any increased costs to the agency, which is statutorily required to generate sufficient revenue to cover its costs of operation, would be offset by an increase in fee generated revenue. For the purposes of this analysis, the table above does not include an estimate for any revenue gains that might be realized for administrative penalties under the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 360 State Office of Administrative Hearings, 456 Board of Plumbing Examiners

LBB Staff: JOB, AG, MW, CWS