

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 10, 2011

TO: Honorable Jim Keffer, Chair, House Committee on Energy Resources

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

IN RE: HB2429 by Strama (Relating to availability of certain information regarding energy use and efficiency of certain residential property.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2429, 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 (Cost) from General Revenue Fund 1	Probable Revenue Gain from General Revenue Fund 1	Change in Number of State Employees from FY 2011
2012	\$0	\$0	0.0
2013	(\$44,921)	\$44,921	1.0
2014	(\$41,559)	\$41,559	1.0
2015	(\$41,559)	\$41,559	1.0
2016	(\$41,559)	\$41,559	1.0

Fiscal Analysis

The bill would amend the Occupations Code relating to relating to availability of certain information regarding energy use and efficiency of certain residential property.

The bill would require a multiple-listing service that lists for sale residential or commercial real property to provide information related to energy use or efficiency of a residence or commercial building listed for sale in the multiple-listing service database.

The bill also states that at the request of a seller, a real estate licensee would be required to include in a multiple-listing service listing information related to energy use or efficiency of the residence or commercial building on the property. Such information would include the residence's or building's

energy star rating, home energy rating, ICC 700 rating, or LEED rating or certification as defined in the bill.

A multiple-listing service would not be required to comply with Subchapter R, Chapter 1101, Occupations Code, as added by this Act, before January 1, 2012. This bill takes effect September 1, 2011.

Methodology

Based on the analysis of the Texas Real Estate Commission (TREC), the agency anticipates there would be an increase in the number of complaints against licensees for failure to comply. TREC assumes that 40 additional complaints would be received annually.

To implement the provisions of the bill, TREC assumes it would need an additional Administrative Assistant III (\$32,122 each year) plus start-up costs in the Standards and Enforcement Division to assist with processing complaints. The total impact for TREC beginning in fiscal year 2013 is estimated at: \$33,122 (Salaries/Wages) + \$8,949 (Benefits) + \$3,850 (Equipment/Other Operating Expenses) = \$44,921. Costs are estimated at \$41,559 in sub-sequent years.

Based on the analysis of the agency, it is assumed that TREC would adjust license fees to cover any additional costs associated with the implementation of this bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 329 Real Estate Commission

LBB Staff: JOB, SZ, MW, NV