

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

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

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

IN RE: HB2480 by Geren (Relating to the licensing and regulation of geoscientists by the Texas Board of Professional Engineers, the regulation and licensing of land surveyors by the Texas Board of Architectural Examiners, and the abolition of the Texas Board of Professional Geoscientists and the Texas Board of Professional Land Surveying.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2480, As Introduced: a negative impact of (\$1,213,908) through the biennium ending August 31, 2013.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$606,954)
2013	(\$606,954)
2014	(\$606,954)
2015	(\$606,954)
2016	(\$606,954)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Revenue Gain/ (Loss) from General Revenue Fund 1	Change in Number of State Employees from FY 2011
2012	\$1,330,046	(\$1,937,000)	(16.0)
2013	\$1,330,046	(\$1,937,000)	(16.0)
2014	\$1,330,046	(\$1,937,000)	(16.0)
2015	\$1,330,046	(\$1,937,000)	(16.0)
2016	\$1,330,046	(\$1,937,000)	(16.0)

Fiscal Analysis

The bill would amend the Occupations Code relating to the licensing and regulation of geoscientists by the Texas Board of Professional Engineers, the licensing and regulation of land surveyors by the Texas Board of Architectural Examiners, and the abolition of the Texas Board of Professional Geoscientists and the Texas Board of Professional Land Surveying.

Article One of the bill would amend the Occupations Code to transfer functions relating to licensing and regulation of geoscientists from the Texas Board of Professional Geoscientists to the Texas Board of Professional Engineers (TBPE), a Self-Directed and Semi-Independent agency. The TBPE would adopt fees in amounts considered reasonable and necessary to provide sufficient revenue to administer the licensing and regulation of geoscientists.

Article Two of the bill would amend the Occupations Code to transfer functions relating to licensing and regulation of land surveyors from the Texas Board of Professional Land Surveying to the Texas Board of Architectural Examiners (TBAE), a Self-Directed and Semi-Independent agency. The TBAE would adopt fees in amounts considered reasonable and necessary to provide sufficient revenue to administer the licensing and regulation of land surveyors.

Article Three of the bill would make conforming amendments to the Government Code, Natural Resources Code, and Water Code to amend references to the two abolished agencies.

Article Four of the bill would repeal the following provisions of the Occupations Code: Section 1002.003, Subchapters B and C of Chapter 1002, Sections 1002.151, 1002.152, 1002.153, 1002.154, and 1002.158, Subchapter E of Chapter 1002, Section 1071.003, and Subchapters B and C of Chapter 1071.

Article Five, Section 5.01 of the bill would transfer all unexpended funds appropriated to the Texas Board of Professional Geoscientists to the TBPE, and requires that the transfer of obligations, property, rights, powers, and duties must be completed not later than September 1, 2012.

Article Five, Section 5.02 of the bill would transfer all unexpended funds appropriated to the Texas Board of Professional Land Surveying to the TBAE, and requires that the transfer of obligations, property, rights, powers, and duties must be completed not later than September 1, 2012.

Article Five, Section 5.03 would maintain that this Act, to the extent of any conflict, prevails over another Act of the 82nd Legislature, Regular Session, relating to nonsubstantive changes to enacted codes.

The bill would take effect on September 1, 2011.

Methodology

For the purpose of this analysis, the Comptroller of Public Accounts' 2012-13 Biennial Revenue Estimate and Comptroller records were used to estimate the revenue impacts of the bill. For the purpose of this analysis, amounts appropriated in fiscal year 2011 in the General Appropriations Act were used to estimate savings (\$1,330,046) to the General Revenue Fund, reflected in the table above, from the abolishment of the Texas Board of Professional Geoscientists and the Texas Board of Professional Land Surveying. This analysis assumes the same savings each fiscal year from 2012 - 16. Similarly, this analysis reflects a reduction in Full-Time Equivalent positions (FTEs) each fiscal year equivalent to the amount authorized for both agencies in fiscal year 2011 (16.0 FTEs).

It is assumed that the TBPE and TBAE would each incur some moving costs, technology impacts, and other related expenses upon implementation of the bill; however, costs associated with the implementation of the bill for the TBPE and the TBAE are not considered in this analysis because fiscal impacts for these agencies would be realized outside of the Treasury due to the agencies being Self-Directed and Semi-Independent (SDSI). Accordingly, any costs to these agencies are not reflected in the table above.

Under current law, the Texas Board of Professional Geoscientists and the Texas Board of Professional Land Surveying deposit collected revenue to the General Revenue fund. Revenues collected by the TBPE and TBAE, as SDSI agencies, are deposited in the Texas Treasury Safekeeping Trust Company (TTSTC) which is operated outside of the treasury, with the exception of a \$200 professional fee, that is currently deposited to the General Revenue Fund. Based on the analysis of the Comptroller of Public Accounts, it is assumed that all revenues currently collected by the Texas Board of Professional Geoscientists would be moved to the TTSTC. Based on the analysis of the Comptroller of Public Accounts, it is also assumed that all revenues currently collected by the Texas Board of Professional Land Surveying would be moved to the TTSTC with the exception of the \$200 professional fee mentioned above, which would continue to be deposited to the General Revenue Fund.

Based on the analysis of the Comptroller of Public Accounts, it is estimated that revenues from the

abolished agencies, in the amount of \$1,937,000, would no longer be deposited to the General Revenue Fund each fiscal year of 2012-16, with similar fiscal implications continuing after 2016.

This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. Legislative policy, implemented as Government Code 403.094, consolidated special funds (except those affected by constitutional, federal, or other restrictions) into the General Revenue Fund as of August 31, 1993 and eliminated all applicable statutory revenue dedications as of August 31, 1995. Each subsequent Legislature has reviewed bills that affect funds consolidation. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 459 Board of Architectural Examiners, 460 Board of Professional Engineers, 464 Board of Professional Land Surveying, 481 Board of Professional Geoscientists

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