

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 6, 2011

**TO:** Honorable Byron Cook, Chair, House Committee on State Affairs

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

**IN RE: HB2637** by Chisum (Relating to premarital education courses.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2637, As Introduced: a negative impact of (\$10,300,382) 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	(\$5,150,191)
2013	(\$5,150,191)
2014	(\$5,150,191)
2015	(\$5,150,191)
2016	(\$5,150,191)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from General Revenue Fund 1	Probable Revenue (Loss) from Child Abuse/Neglect Trust 5085	Probable Revenue Gain from New General Revenue Dedicated	Probable Savings from General Revenue Fund 1
2012	(\$1,667,000)	(\$3,380,000)	\$5,047,000	\$4,180,657
2013	(\$1,667,000)	(\$3,414,000)	\$5,081,000	\$4,180,657
2014	(\$1,667,000)	(\$3,414,000)	\$5,081,000	\$4,180,657
2015	(\$1,667,000)	(\$3,414,000)	\$5,081,000	\$4,180,657
2016	(\$1,667,000)	(\$3,414,000)	\$5,081,000	\$4,180,657

Fiscal Year	Probable (Cost) from New General Revenue Dedicated	Probable (Cost) from General Revenue Fund 1
2012	(\$4,127,181)	(\$7,663,848)
2013	(\$4,127,181)	(\$7,663,848)
2014	(\$4,127,181)	(\$7,663,848)
2015	(\$4,127,181)	(\$7,663,848)
2016	(\$4,127,181)	(\$7,663,848)

Fiscal Year	Change in Number of State Employees from FY 2011
2012	(3.0)
2013	(3.0)
2014	(3.0)
2015	(3.0)
2016	(3.0)

**Fiscal Analysis**

The bill would direct the Health and Human Services Commission (HHSC) to contract with a Texas nonprofit organization to administer and coordinate premarital education courses.

The bill would recreate the Family Trust Fund and authorize HHSC to use funding collected in the fund to pay for the contract. The bill would allocate \$30 from each marriage license fee and \$12.50 from a declaration of informal marriage to the Family Trust Fund.

The bill would repeal Section 2.013 (e), Family Code, regarding premarital education courses and Section 40.105, Human Resources Code, which created GR Account 5085, Child Abuse and Neglect Prevention Fund.

**Methodology**

For purposes of this analysis, it is assumed that HHSC would reduce 3.0 full-time equivalents (FTEs) per year who currently administer the Healthy Families grant program, which provides grants to nonprofits for providing premarital education classes. It is also assumed that HHSC would use the funds collected in the Family Trust Fund for the contract costs, which HHSC estimates would equal the current level of expenditures for this program of \$4,180,657 in General Revenue Funds, less the benefits paid by the state for the 3.0 FTEs (estimated to be \$53,476 in General Revenue Funds each fiscal year).

The Family Trust Fund was created by HB 2685, 80th Legislature, Regular Session, but was not exempted in the funds consolidation bill and was abolished. As a result, the \$10 portion of the marriage license fee that by law is allocated to the Family Trust Fund is deposited to General Revenue Fund 0001. The bill would recreate the Family Trust Fund as a trust fund with the Comptroller.

\$20 from the marriage license fee, along with \$12.50 from the declaration of informal marriage fee, are currently deposited to GR Account 5085. The bill would eliminate this account and require the Comptroller to deposit the entire amount from each marriage fee to the Family Trust Fund. As a result, there is an estimated loss of revenue to the General Revenue Fund of \$1,667,000 each fiscal year and an estimated loss of revenue to Account 5085 of \$3,380,000 in fiscal year 2012 and \$3,414,000 in each subsequent year. Based on the Comptroller's analysis, there is an increase of revenue to the recreated Family Trust Fund for the total amount collected, estimated to be \$5,047,000 in fiscal year 2012 and \$5,081,000 in each subsequent year.

The Department of Family and Protective Services (DFPS) currently funds prevention programs with money collected in Fund 5085 that the agency is authorized to transfer to its operating account, Fund 5084. The bill would not eliminate the programs currently funded by this account; for the purposes of this analysis, it is assumed the programs would continue to operate with appropriations from the General Revenue Fund in the amount of \$7,663,848 each fiscal year.

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 within or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

**Technology**

There is no anticipated technology impact.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

**LBB Staff:** JOB, KJG, MB, ES, VJC, NM, KKR