

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 18, 2011

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

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

IN RE: HB2687 by Lucio III (Relating to county regulation of sound levels; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Subchapter D to Chapter 240 of the Local Government Code to authorize the commissioners court of a county to regulate sound levels in an unincorporated area to promote the public health, safety, and welfare; and would include requirements for regulations and exemptions.

The commissioners court would be authorized to require a permit and charge a permit fee to cover the cost of issuing the permit by a person holding an event that would exceed certain sound levels. The county would be authorized to sue in a district court for an injunction to prohibit a violation or a threatened violation of an adopted regulation. A person would commit a Class C misdemeanor for a violation of an adopted regulation, and would commit a separate offense for each hour of a violation. A Class C misdemeanor is punishable by a fine of not more than \$500.

Local Government Impact

There could be additional revenue to a county for a permit fee that would vary depending on the number of applicable events held and the amount of the permit fee charged to offset the cost of issuing the permit; however, the amount is not anticipated to be significant.

Costs associated with enforcement and prosecution, and revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: JOB, KKR, TP