

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 16, 2011

TO: Honorable Rene Oliveira, Chair, House Committee on Land & Resource Management

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

IN RE: HB3492 by Coleman (Relating to authorizing counties to adopt buffer zone regulations and comprehensive plans and assess a roadway cost recovery fee; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Chapter 236 to the Local Government Code to authorize counties to adopt buffer zone regulations and comprehensive plans for land development; assess a roadway cost recovery fee; and authorize the imposition of penalties for violations. The bill specifies procedures and processes regarding comprehensive plans and regulations; enforcement of buffer zone regulations; and the assessment, collection and refund of roadway cost recovery fees.

Local Government Impact

There could be a positive fiscal impact to counties for the roadway cost recovery fee and the imposition of a penalty for a violation, but the amounts would vary by county and would be offset by some of the costs incurred. In addition, there could be costs if a county chose to adopt and develop a comprehensive plan for an unincorporated area. It is assumed that a county would adopt a comprehensive plan only if sufficient resources were available or the net fiscal impact would not be negative.

The County Judges and Commissioners Association of Texas reported that the Road Cost Recovery Fee provision would have a positive fiscal impact on counties to recover costs currently incurred for infrastructure for new development. The amounts would vary depending upon the extent of new development in the county.

Source Agencies:

LBB Staff: JOB, TP, SZ