

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 8, 2011

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

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

IN RE: HB3618 by Miller, Sid (Relating to the regulation of restricted fireworks.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to require drought conditions to exist on a specific day during the fireworks season in order for a county to regulate fireworks. The Texas Forest Service would be required to immediately notify a county or counties and the State Fire Marshal when drought conditions no longer exist. The bill also would require the Texas Forest Service and the State Fire Marshal to make their services available each day during the fireworks season.

According to the Texas Forest Service (TFS), the daily Keetch-Byram Drought Index (KBDI) determination is currently provided to all counties in the state and that the information is online and available to the public. TFS also provides notification when the KBDI drops below the 575 threshold to counties that contact TFS directly for drought determinations. TFS currently receives calls and provides information to county officials upon request, but indicated there could be additional costs to staff a call center to respond to requests by a county or fireworks vendor for a determination of whether drought conditions exist. However, since the KBDI information is publicly accessible, many counties may issue fireworks bans without any direct contact with TFS. TFS does not, as a standard practice, send notifications to counties when drought conditions go above or below the threshold. Assuming these requirements could be met via an automated email notification system, TFS could implement the provisions with minimal fiscal impact. Therefore, this analysis assumes the additional costs to implement the provisions of the bill could be absorbed using existing resources.

Local Government Impact

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

Source Agencies: 576 Texas Forest Service

LBB Staff: JOB, KKR, TP