

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 20, 2011

TO: Honorable Jim Pitts, Chair, House Committee on Appropriations

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

IN RE: HJR149 by Larson (Proposing a constitutional amendment to require the comptroller of public accounts to make a state revenue report after the first year of a state fiscal biennium and the governor to call a special session of the legislature if actual state revenue for that fiscal year was at least five percent less than projected revenue.), **As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$105,495.

The resolution would propose an amendment to Article III of the Texas Constitution to direct the Comptroller of Public Accounts (Comptroller) to submit to the Governor and the Legislature, not later than September 10 of each even-numbered year, a statement showing fully the condition of the State Treasury, including actual revenue received by and for the state from all sources, during the first year of the current fiscal biennium.

The resolution would propose an amendment to Article IV of the Texas Constitution to require the Governor to convene the Legislature in a special session if the Comptroller's statement following the first year of the current fiscal biennium showed that actual revenue received by and for the state from all sources was at least 5 percent less than the revenue that was anticipated for that fiscal year in the last statement submitted by the Comptroller to the Governor and Legislature. The Legislature would be authorized to consider any state fiscal matter, including appropriations and taxation, at that special session. The impact of the proposed constitutional amendment would depend on the number and length of special sessions which are convened pursuant to the amendment.

The proposed constitutional amendment would be submitted to the voters at an election to be held on November 8, 2011.

The Comptroller's office indicated that any costs associated with the proposed amendment could be absorbed within the agency's existing resources. Costs associated with a special session, including per diem of members of the Legislature and staffing expenses, are anticipated to be \$1,125,000 for a 30-day special session.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KK, MS, LCO