

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 26, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HR2518 by Hilderbran (Suspending limitations on conference committee jurisdiction, S.B. No. 1087.)

No significant fiscal implication to the State is anticipated.

The resolution would suspend House Rule 13, Sections 9(a)(1) and (2) to permit the committee to change and omit text not in agreement because the change is necessary to clarify that a cable service provider or video service provider that receive a franchise to provide cable service or video service to a municipality is not eligible to seek a state issued certificate of franchise authority before the expiration of the franchise except as provided by Section 66.004, Utilities Code. This would not result in a fiscal impact to the state.

The resolution would suspend House Rule 13, Sections 9(a)(1) and (4) to permit the committee change text which is not in disagreement and to add text on a matter which is not included in either the house or senate version of the bill in proposed Section 2 of the bill, in added Sections 66.004(b-1), (b-2), and (b-3). These changes are necessary to differentiate between termination of franchises by service providers in municipalities with populations of less than 215,000 and by service providers in municipalities with populations of at least 215,000. This would not result in a significant fiscal impact to the state.

The resolution would suspend House Rule 13, Sections 9(a)(1) to permit the committee to change text which is not in disagreement in proposed Section 2 of the bill, in amended Sections 66.004(c) and (f) because the changes are necessary to add cross-references to Section 66.004(b-2), Utilities Code. This would not result in fiscal implications to the state or local governments.

The resolution would suspend House Rule 13, Sections 9(a)(1), (2) and (4) to permit the committee change text which is not in disagreement, omit text not in disagreement, and add text on a matter which is not included in either the house or senate version of the bill, in proposed Section 4 of the bill, in amended Section 66.006(c) and added Section 66.006(c-2). The change is necessary to clarify that all fees paid to municipalities under Section 66.006, Utilities Code, are not chargeable as a credit against franchise fee payments authorized under Chapter 66, Utilities Code, and that municipalities may not spend revenue from fees received under Section 66.006 except by spending the revenue directly from a separate account, to remove language requiring a detailed accounting of deposits, and to reletter Subsection (c-3) as Subsection (C-2). This would not result in a fiscal impact to the state.

The resolution would suspend House Rule 13, Sections 9(a)(1) and (2) to permit the committee change and omit text which is not in disagreement in proposed Section 4 of the bill, in amended Section 66.006(d), Utilities Code. The changes are necessary to clarify that institutional network capacity and cable services to community public buildings shall continue to be provided in all municipalities as they were provided before the expiration or termination of a franchise. This would not result in a fiscal impact to the state.

The resolution would suspend House Rule 13, Sections 9(a)(1) to permit the committee change text which is not in disagreement in proposed Section 6 of the bill because the changes are necessary to correct cross-references. This would not result in a fiscal impact to the state.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, KJG, MW, RAN