

SENATE AMENDMENTS

2nd Printing

By: Dutton

H.B. No. 550

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an exemption to the requirement for a fishing license
3 for residents of a certain age.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 46.002(a), Parks and Wildlife Code, is
6 amended to read as follows:

7 (a) A license issued under this chapter is not required of a
8 person:

9 (1) who is a resident at least 75 years of age [~~and~~
10 ~~whose birth date is before September 1, 1930~~];

11 (2) who is a nonresident, if the person's birth date is
12 before September 1, 1930, and the person's state of residence
13 grants a similar age exemption to Texas residents;

14 (3) who is mentally disabled and who is engaging in
15 recreational fishing as part of medically approved therapy, and who
16 is fishing under the immediate supervision of personnel approved or
17 employed by a hospital, residence, or school for mentally disabled
18 persons;

19 (4) who is mentally retarded and is engaged in
20 recreational fishing under the immediate supervision of a person
21 who:

22 (A) holds a license issued under this chapter;

23 and

24 (B) has the permission of the mentally retarded

1 person's family head or legal guardian to take the mentally
2 retarded person fishing if the person is not a member of the family
3 of the mentally retarded person; or

4 (5) who is participating in an event that is sponsored
5 or co-sponsored by the Texas Parks and Wildlife Department with the
6 approval of the Executive Director.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2011.

FLOOR AMENDMENT NO. 1

BY: *Craig Estes*

1 Amend H.B. No. 550 (Senate Committee Printing page 1, lines
2 15-16) by striking Subdivision (1) and substituting the
3 following:

4 (1) who is a resident and whose birth date is before
5 January 1, 1931 [~~September 1, 1930~~];

ADOPTED

MAY 25 2011

Arlene Spaw
Secretary of the Senate

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: HB550 by Dutton (Relating to an exemption to the requirement for a fishing license for residents of a certain age.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB550, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to provide that general fishing license fees for residents aged 75 or older be waived. The bill would take immediate effect with a two-thirds vote of all members. Otherwise, the bill would take effect September 1, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>Game, Fish, Water Safety Ac</i> 9
2012	(\$356,400)
2013	(\$423,760)
2014	(\$503,851)
2015	(\$599,078)
2016	(\$712,304)

Fiscal Analysis

The Texas Parks and Wildlife Department estimates a revenue loss of \$356,400 in fiscal year 2012, \$423,760 in fiscal year 2013, \$503,850 in fiscal year 2014, \$599,078 in fiscal year 2015 and \$712,304 in fiscal year 2016 in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 would result from passage of this legislation. This analysis is based upon licenses and stamps purchased by residents 75 years or older in fiscal year 2010 and takes into account any additional revenue loss that may occur in future years due to the aging of the population, which results in an increase number of seniors who would have license fees waived.

Methodology

The following analysis is based upon the assumption that the number of licenses purchased by residents aged 75 and over remains at fiscal year 2010 levels.

Revenue Loss

Daily Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 are as follows:

Senior One Day All water Fishing: \$11 @ 374 = \$4,114

Senior Two Day All water Fishing: \$22 @ 19 = 418

\$4,565

Retail business (license agents such as Wal-Mart) charge a fee of approximately 4% per license; resulting in a net revenue loss to TPWD of $\$4,565 * 96\% = \$4,382$

General Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 are as follows:

Senior Resident Freshwater Fishing: \$12 @ 8,252 = \$99,024

Senior Resident Saltwater Fishing: \$17 @ 2,013 = 34,221

Senior Resident All water Fishing: \$22 @ 3,357 = 73,854

\$207,099

This would result in a net of license agent fee revenue loss of $\$207,099 * 96\% = \$198,815$.

Combo Hunting and Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Combo Hunting and Freshwater Fishing: \$16 @ 3,365 = \$53,840

Senior Combo Hunting and Saltwater Fishing: \$21 @ 167 = 3,507

Senior Combo Hunting and All water Fishing: \$26 @ 674 = 17,524

\$74,871

This would result in a net of license agent fee revenue loss of $\$74,871 * 96\% = \$71,876$.

Super Combo Hunting and Fishing Licenses:

The Super Combo includes a resident hunting license, a resident fishing license and all hunting and fishing stamps (archery, upland, migratory hunting; freshwater and saltwater fishing stamps)

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Super Combo Package: \$32 @ 6,735 = \$215,520.

This would result in a net of license agent fee revenue loss of $\$215,520 * 96\% = \$206,899$.

Revenue Gain

General Hunting License (\$7 per license):

Assuming those seniors who purchased Combo and Super-Combo licenses (hunting and fishing) would still desire to hunt, TPWD would recognize a revenue gain.

Senior Hunting License: $(3,365 + 167 + 674 + 6,735) = 10,941 @ \$7 = \$76,587$.

This would result in a net of license agent fee revenue gain of $\$76,587 * 96\% = \$73,524$.

Hunting Stamps (\$7 per stamp):

Assuming those seniors who purchased the Super Combo Package would still desire to hunt the game requiring hunting stamps, TPWD would recognize a revenue gain. Through surveys TPWD asks Super Combo holders which "activities" (stamps) they used. This averages out to approximately 1.15 stamps per user.

Hunting Stamps (in lieu of Super Combo): $6,735 * 1.15 = 7,745 @ \$7 = \$54,217$.

This would result in a net of license agent fee revenue gain of $\$54,217 * 96\% = \$52,048$.

Summary:

In total, the estimated net revenue loss per fiscal year to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 is as follows:

Daily Fishing:	(\$4,382)
General Fishing:	(\$198,815)
Combo:	(\$71,876)
Super Combo:	(\$206,899)
General Hunting:	\$73,524
Hunting Stamps:	\$52,048
Total:	(\$356,400)

Growth Factor: The population of Texas is aging, resulting in an increasing population of seniors who would have their fishing license fee waived. In recent years, TPWD reports it has experienced a strong growth of seniors (75 and over) purchasing fishing licenses. Using the conservative growth rate of 18.90%, experienced from FY2009 to FY2010, this analysis applies this growth rate (compounding) each year in fiscal years 2013-2016. FY 2013, $\$356,400 * 1.189 = \$423,760$; FY 2014, $\$423,760 * 1.189 = \$503,851$; FY 2015, $\$503,851 * 1.189 = \$599,078$; FY 2016, $\$599,079 * 1.189 = \$712,304$.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, ZS, TB, KM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 18, 2011

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

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

IN RE: HB550 by Dutton (Relating to an exemption to the requirement for a fishing license for residents of a certain age.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB550, As Engrossed: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to provide that general fishing license fees for residents aged 75 or older be waived. The bill would take immediate effect with a two-thirds vote of all members. Otherwise, the bill would take effect September 1, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
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All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>Game, Fish, Water Safety Ac</i> 9
2012	(\$356,400)
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2016	(\$712,304)

Fiscal Analysis

The Texas Parks and Wildlife Department estimates a revenue loss of \$356,400 in fiscal year 2012, \$423,760 in fiscal year 2013, \$503,850 in fiscal year 2014, \$599,078 in fiscal year 2015 and \$712,304 in fiscal year 2016 in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 would result from passage of this legislation. This analysis is based upon licenses and stamps purchased by residents 75 years or older in fiscal year 2010 and takes into account any additional revenue loss that may occur in future years due to the aging of the population, which results in an increase number of seniors who would have license fees waived.

Methodology

The following analysis is based upon the assumption that the number of licenses purchased by residents aged 75 and over remains at fiscal year 2010 levels.

Revenue Loss

Daily Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 are as follows:

Senior One Day All water Fishing: \$11 @ 374 = \$4,114
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Retail business (license agents such as Wal-Mart) charge a fee of approximately 4% per license; resulting in a net revenue loss to TPWD of $\$4,565 * 96\% = \$4,382$

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\$207,099

This would result in a net of license agent fee revenue loss of $\$207,099 * 96\% = \$198,815$.

Combo Hunting and Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Combo Hunting and Freshwater Fishing: \$16 @ 3,365 = \$53,840
Senior Combo Hunting and Saltwater Fishing: \$21 @ 167 = 3,507
Senior Combo Hunting and All water Fishing: \$26 @ 674 = 17,524
\$74,871

This would result in a net of license agent fee revenue loss of $\$74,871 * 96\% = \$71,876$.

Super Combo Hunting and Fishing Licenses:

The Super Combo includes a resident hunting license, a resident fishing license and all hunting and fishing stamps (archery, upland, migratory hunting; freshwater and saltwater fishing stamps)

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Super Combo Package: \$32 @ 6,735 = \$215,520.

This would result in a net of license agent fee revenue loss of $\$215,520 * 96\% = \$206,899$.

Revenue Gain

General Hunting License (\$7 per license):

Assuming those seniors who purchased Combo and Super-Combo licenses (hunting and fishing) would still desire to hunt, TPWD would recognize a revenue gain.

Senior Hunting License: $(3,365 + 167 + 674 + 6,735) = 10,941 @ \$7 = \$76,587$.

This would result in a net of license agent fee revenue gain of $\$76,587 * 96\% = \$73,524$.

Hunting Stamps (\$7 per stamp):

Assuming those seniors who purchased the Super Combo Package would still desire to hunt the game requiring hunting stamps, TPWD would recognize a revenue gain. Through surveys TPWD asks Super Combo holders which "activities" (stamps) they used. This averages out to approximately 1.15 stamps per user.

Hunting Stamps (in lieu of Super Combo): $6,735 * 1.15 = 7,745 @ \$7 = \$54,217$.

This would result in a net of license agent fee revenue gain of $\$54,217 * 96\% = \$52,048$.

Summary:

In total, the estimated net revenue loss per fiscal year to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 is as follows:

Daily Fishing:	(\$4,382)
General Fishing:	(\$198,815)
Combo:	(\$71,876)
Super Combo:	(\$206,899)
General Hunting:	\$73,524
Hunting Stamps:	\$52,048
Total:	(\$356,400)

Growth Factor: The population of Texas is aging, resulting in an increasing population of seniors who would have their fishing license fee waived. In recent years, TPWD reports it has experienced a strong growth of seniors (75 and over) purchasing fishing licenses. Using the conservative growth rate of 18.90%, experienced from FY2009 to FY2010, this analysis applies this growth rate (compounding) each year in fiscal years 2013-2016. FY 2013, $\$356,400 * 1.189 = \$423,760$; FY 2014, $\$423,760 * 1.189 = \$503,851$; FY 2015, $\$503,851 * 1.189 = \$599,078$; FY 2016, $\$599,079 * 1.189 = \$712,304$.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, ZS, TB, KM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 20, 2011

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

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

IN RE: HB550 by Dutton (Relating to an exemption to the requirement for a fishing license for residents of a certain age.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to provide that general fishing license fees for residents born prior to January 1, 1931 be waived. Currently fees are waived for residents born prior to September 1, 1930. Based on an analysis of licenses and stamps purchased by this population in fiscal year 2010, the Texas Parks and Wildlife Department (TPWD) estimates a revenue loss of \$16,178 per fiscal year in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 to result from passage of this legislation. Accordingly, to the extent the bill's provisions would result in a minimal loss of revenue, no significant fiscal implication to TPWD or the state is anticipated. The bill would take immediate effect with a two-thirds vote of all members. Otherwise, the bill would take effect September 1, 2011.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, TB, KM, ZS

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 5, 2011

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

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

IN RE: HB550 by Dutton (Relating to general fishing license fees for residents 65 years old or over.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB550, As Introduced: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to provide that general fishing license fees for residents aged 65 or older be waived. The bill would take immediate effect with a two-thirds vote of all members. Otherwise, the bill would take effect September 1, 2011.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>Game, Fish, Water Safety Ac</i> 9
2012	(\$2,358,876)
2013	(\$2,358,876)
2014	(\$2,358,876)
2015	(\$2,358,876)
2016	(\$2,358,876)

Fiscal Analysis

The Texas Parks and Wildlife Department estimates a revenue loss of \$2,358,876 per fiscal year in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 to result from passage of this legislation. This analysis is based upon licenses and stamps purchased by residents 65 years old or over in fiscal year 2010 and does not take into account any additional revenue loss that may occur in future years due to the aging of the population, which would result in an increasing number of seniors who would have license fees waived.

Methodology

The following analysis is based on the assumption that the number of licenses purchased by residents aged 65 and over remains at fiscal year 2010 levels.

Revenue Loss

Daily Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 are as follows:

Senior One Day All water Fishing: \$11 @ 2,207 = \$24,277

Senior Two Day All water Fishing: \$22 @ 84 = 1,848

Total = \$26,125

Retail business (license agents such as Wal-Mart) charge a fee of approximately 4% per license; resulting in a net revenue loss to TPWD of $\$26,125 * 96\% = \$25,080$

General Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 are as follows:

Senior Resident Freshwater Fishing: \$12 @ 51,941 = \$623,292

Senior Resident Saltwater Fishing: \$17 @ 11,479 = 195,143

Senior Resident All water Fishing: \$22 @ 25,797 = 567,534

Total = \$1,385,969

This would result in a net loss in license agent receipts of $\$1,385,969 * 96\% = \$1,330,530$.

Combo Hunting and Fishing Licenses:

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Combo Hunting and Freshwater Fishing: \$16 @ 17,436 = \$278,976

Senior Combo Hunting and Saltwater Fishing: \$21 @ 705 = 14,805

Senior Combo Hunting and All water Fishing: \$26 @ 4,073 = 105,898

Total = \$399,679

This would result in a net loss in license agent receipts of $\$399,679 * 96\% = \$383,692$.

Super Combo Hunting and Fishing Licenses:

The Super Combo includes a resident hunting license, a resident fishing license and all hunting and fishing stamps (archery, upland, migratory hunting; freshwater and saltwater fishing stamps)

The per license fee and number of resident senior fishing license holders in fiscal year 2010 is as follows:

Senior Super Combo Package: \$32 @ 47,250 = \$1,512,000.

This would result in a net loss in license agent receipts of $\$1,512,000 * 96\% = \$1,451,520$.

Revenue Gain

General Hunting License (\$7 per license):

Assuming those seniors who purchased Combo and Super-Combo licenses (hunting and fishing) would still desire to hunt, TPWD would recognize a revenue gain.

Senior Hunting License: $(17,436 \text{ plus } 705 \text{ plus } 4,073 \text{ plus } 47,250) = 69,464 @ \$7 = \$486,248$.

This would result in a net license agent fee revenue gain of $\$486,248 * 96\% = \$466,798$.

Hunting Stamps (\$7 per stamp):

Assuming those seniors who purchased the Super Combo Package would still desire to hunt the game requiring hunting stamps, TPWD would recognize a revenue gain. Through surveys TPWD asks Super Combo holders which "activities" (stamps) they used. This averages out to approximately 1.15 stamps per user.

Hunting Stamps (in lieu of Super Combo): $47,250 * 1.15 = 54,338 @ \$7 = \$380,363$.

This would result in a net license agent fee revenue gain of $\$380,363 * 96\% = \$365,148$.

Summary:

In total, the estimated net revenue loss per fiscal year to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 is as follows:

Daily Fishing:	(\$25,080)
General Fishing:	(\$1,330,530)
Combo:	(\$383,692)
Super Combo:	(\$1,451,520)
General Hunting:	\$466,798
Hunting Stamps:	\$365,148
Total:	(\$2,358,876)

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, KM, ZS, TB