

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

February 27, 2013

TO: Honorable Joseph Pickett, Chair, House Committee On Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB355 by Guillen (Relating to the eligibility of commercial driver's license holders for dismissal of certain charges on completion of a driving safety course.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB355, As Introduced: an impact of \$0 through the biennium ending August 31, 2015.

While the overall fiscal impact to state administrative costs would not be significant, the enactment of the bill could result in a loss of federal-aid highway funds and federal Motor Carrier Safety Assistance Program funds to the state.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from Federal Funds 555
2014	(\$49,294,983)
2015	(\$75,902,415)
2016	(\$75,902,415)
2017	(\$75,902,415)
2018	(\$75,902,415)

Fiscal Analysis

The bill would amend the Code of Criminal Procedure to permit judges to dismiss certain traffic

offenses committed by individuals who hold commercial driver's licenses upon completion of a driving safety course.

The Department of Public Safety (DPS) indicates the provisions of the bill could place Texas out of compliance with Title 49, Code of Federal Regulations, which may result in a loss of federal-aid highway funds and federal Motor Carrier Safety Assistance Program (MSCAP) funds.

The bill would take effect September 1, 2013.

Methodology

DPS estimates the potential losses from federal-aid highway funds would be 5 percent of the total funds received in first year of non-compliance (\$26,208,017 in fiscal year 2014) and 10 percent in fiscal year 2015 and subsequent years (\$52,428,469).

Non-compliance could also result in a complete withdrawal of MSCAP funds (\$23,076,966 in fiscal year 2014 and \$23,473,946 in fiscal year 2015).

The total amount of potential losses to federal funds would be \$49,284,983 in fiscal year 2014 and \$75,902,415 in fiscal year 2015 and subsequent years.

Technology

It is assumed any technology costs can be absorbed by DPS within current appropriations.

Local Government Impact

The bill would allow a judge to implement alternatives to requiring a defendant to make a payment for all court costs.

It is assumed the local fiscal impact would vary by locality, depending on the number of offenses committed by holders of commercial driver's licenses in a given locality and which, if any, alternative under Article 45.05(a-1) of Code of Criminal Procedure a judge would choose to implement.

Source Agencies: 405 Department of Public Safety

LBB Staff: UP, ESi, AI, JAW, KKR, GG