

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 8, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1015** by Guillen (Relating to the regulation of big cats and nonhuman primates; providing penalties.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Health and Safety Code to prohibit a municipality from adopting an ordinance or order pertaining to big cats or nonhuman primates that is inconsistent with Subchapter F.

The bill would add Subchapter F to Chapter 822 of the Health and Safety Code to provide definitions, regulation requirements and exceptions regarding big cats and nonhuman primates in municipalities and counties with a population of 75,000 or more.

The bill would create a civil penalty for a person who owns, possesses, or has custody or control; or allows a member of the public to come in direct contact with a big cat or nonhuman primate punishable by a fine of not less than \$200 and not more than \$2,000. An offense under Section 822.153 would be a Class A misdemeanor. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both.

According to the Texas Parks and Wildlife Department, no fiscal impact to the agency is anticipated.

**Local Government Impact**

There could be significant costs to a municipality or a county related to the enforcement, seizure and impoundment of a big cat or a nonhuman primate; however, the amounts would vary depending on the number of violations; the costs to transport; the costs and duration of impoundment; and associated legal expenses. In addition, a municipality or a county could recover reasonable costs incurred for an investigation, including attorneys and expert witness fees that would be credited to the animal control authority's operating account.

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources; and revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

According to the City of Houston, no fiscal impact is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, KJo, TP