

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 6, 2013

TO: Honorable Brandon Creighton, Chair, House Committee on Federalism & Fiscal Responsibility, Select

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1379** by Toth (Relating to coercive conditions placed on the receipt by this state of federal money.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require: the attorney general and the Legislative Budget Board to prepare a report to the legislature no later than December 1 of each even-numbered year that identifies all the coercive federal funding programs that deliver more than \$100 million yearly to the state; the governor to work with governors of other states to develop a coordinated approach with respect to all coercive federal funding programs; and agencies and officers of the state to implement, during the pendency of an action brought by the attorney general related to coercive federal funding programs, all coercive federal funding programs without regard to any conditions designated as coercive by the bill. The bill would allow the attorney general to bring an action to enjoin the enforcement of a coercive condition and recover reasonable expenses incurred in obtaining injunctive relief under certain conditions and to sue for appropriate relief if certain actions are taken by the federal government.

The bill would amend the Government Code to provide certain actions, duties, and responsibilities to the Office of State-Federal Relations relating to coercive federal funding programs.

The Office of the Governor and the Legislative Budget Board indicate the provisions of the bill could be implemented within existing resources.

The Office of the Attorney General indicates there would be a minimal cost to the agency associated with implementing the provisions of the bill and a secondary fiscal impact to the state of a potential loss in federal funds.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 301 Office of the Governor, 302 Office of the Attorney General

LBB Staff: UP, SZ, EP, CK