

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 2, 2013

TO: Honorable Tracy O. King, Chair, House Committee on Agriculture & Livestock

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1903 by Eiland (Relating to the appropriation of amounts deposited into the oyster sales account and the abolishment of the oyster advisory committee.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The Bill amends the Health and Safety Code relating to the appropriation of amounts deposited into the oyster sales account and the abolishment of the oyster advisory committee. The bill modifies the use of fees and penalties collected under Section 437.103 of the Health and Safety Code and allows the funds to contribute to the support of the oyster shell recovery and replacement program operated under the Parks and Wildlife Code.

Under the provisions of the bill, the Comptroller will appropriate \$100,000 each fiscal year from amounts remaining in the General Revenue-Dedicated (GR-D) Account 5022 – Oyster Sales to Texas A&M University at Galveston (TAMUG) to study and analyze organisms that may be associated with human illness and transmitted through the consumption of oysters. The bill removes the provision that funds in the oyster sales account shall first be appropriated for public health activities and notes that funds in the account can only be used on the specified activities.

Upon analysis of the bill, it is assumed that since the Comptroller does not have authority to appropriate funds to an institution of higher education, the Comptroller would instead deposit this amount to the credit of the oyster sales account in the general revenue fund to be available for appropriation to TAMUG by the legislature. Based on analysis of the institution, it is not assumed that the amount of \$100,000 each fiscal year to TAMUG will be significant.

Under the provisions of the bill and to the extent that the Department of State Health Services may receive a different level of funding for public health activities relating to oysters from GR-D Account 5022 due to the distribution to TAMUG, it is assumed that this amount is not significant. Under the provisions of the bill and to the extent that the Parks and Wildlife Department will now receive funding from this account for the oyster shell and recovery program, it is assumed that this amount is not significant.

The bill repeals Subchapter A, Chapter 47 of the Agriculture Code and abolishes the oyster advisory committee established under Section 47.002 of the Agriculture Code.

Based on information provided by Texas Department of Agriculture, the bill is not assumed to have a fiscal impact on the agency.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of, 551 Department of Agriculture,
710 Texas A&M University System Administrative and General Offices,
802 Parks and Wildlife Department

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