

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 16, 2013

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2856 by Gutierrez (Relating to the regulation of immigration assistance services; providing civil and criminal penalties.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2856, As Introduced: a negative impact of (\$387,068) through the biennium ending August 31, 2015.

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

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$200,864)
2015	(\$186,204)
2016	(\$186,204)
2017	(\$186,204)
2018	(\$186,204)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Change in Number of State Employees from FY 2013
	1	
2014	(\$200,864)	4.0
2015	(\$186,204)	4.0
2016	(\$186,204)	4.0
2017	(\$186,204)	4.0
2018	(\$186,204)	4.0

Fiscal Analysis

The bill would amend the Business and Commerce Code to prohibit and require certain actions of individuals who provide immigration assistance services (IAS), including registering and maintaining a corporate surety bond, or other acceptable security, with the Secretary of State. The bill would require the Secretary of State to adopt a registration form and rules to administer the

registration of individuals who provide IAS. The bill would provide civil and criminal penalties for violations of the provisions of the bill.

The Secretary of State indicates that an additional 4.0 full-time equivalent employees (FTEs) would be needed to implement the provisions of the bill. The Secretary of State indicates that 1.0 FTE in the Attorney II position would be needed to provide legal support and act as a liaison with the Office of the Attorney General, and 3.0 FTEs in the Administration Assistant IV position would be needed to review and process additional registration applications and respond to public inquiries related to registration requirements and related complaints. The Legislative Budget Board (LBB) estimates that the 4.0 additional FTEs would require \$200,864 out of General Revenue in fiscal year 2014, and \$186,204 out of General Revenue in each of the following fiscal years.

The bill would take effect on September 1, 2013.

Methodology

The LBB estimates 1.0 additional FTE in the Attorney II position in the B21 Salary Group, with a salary of \$46,731 and related benefits of \$13,898, and 3.0 FTEs in the Administrative Assistant IV position in the A15 Salary Group, with a salary of \$31,729 and related benefits of \$9,436 for each FTE. The LBB estimates additional costs for each FTE would include annual costs of \$520 for telephone service and consumable supplies, and one-time startup costs of \$3,665, which includes costs for a desk, credenza, bookcase, filing cabinet, computer, and telephone. These items would result in an initial fiscal year cost of \$200,864 and \$186,204 in each of the following fiscal years.

Local Government Impact

Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts,
307 Secretary of State

LBB Staff: UP, AG, EP, CK, KKR