

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

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

**April 16, 2013**

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

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

**IN RE: HB3083** by Stickland (Relating to the requirement to carry a certificate of number identification card on a vessel.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3083, As Introduced: an impact of \$0 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:**

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

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue (Loss) from <i>Federal Funds</i> 555</b>	<b>Probable Savings/(Cost) from <i>Game, Fish, Water Safety Ac</i> 9</b>
2014	(\$3,800,000)	(\$3,800,000)
2015	(\$3,800,000)	(\$3,800,000)
2016	(\$3,800,000)	(\$3,800,000)
2017	(\$3,800,000)	(\$3,800,000)
2018	(\$3,800,000)	(\$3,800,000)

**Fiscal Analysis**

The bill would amend the Parks and Wildlife Code relating to vessels. Under bill provisions, the certificate of number awarded to a vessel would not have to be carried on board the vessel, nor would it have to be on the vessel's operator. However, a person charged with a violation for operating an uncertified vessel may produce the certificate to a court of law as a defense against

prosecution.

The Texas Parks and Wildlife Department (TPWD) anticipates a revenue loss of federal funds under bill provisions. TPWD reports that under the Code of Federal Regulation, Title 33, Section 173.21, no person may operate a vessel unless the certificate of number is onboard, or the vessel is otherwise exempt. Accordingly, bill provisions would appear to conflict with federal regulations. Assuming TPWD would continue its regular water safety enforcement efforts, a corresponding increase from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 would be needed to replace lost federal funds.

The bill would take immediate effect if the bill receives two-thirds the vote in both houses. Otherwise, the bill would take effect September 1, 2013.

### **Methodology**

TPWD reports it receives \$3.8 million in Recreational Boating Safety (RBS) federal funds each fiscal year. The funding is used exclusively for Law Enforcement Game Wardens to enforce boating safety rules and regulations. TPWD estimates approximately 25 Game Warden positions are associated with the RBS federal funding stream, in addition to operating costs and capital expenses associated with enforcing the boating safety laws and regulations, such as boats, fuel, maintenance and repair.

In order to backfill this loss of revenue and avoid a reduction to Law Enforcement efforts, TPWD would need an additional appropriation from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

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

**LBB Staff:** UP, KJo, ZS, TB