

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

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

**May 21, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB3436** by Cook (Relating to the use and development of state property, including real property within the Capitol complex.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code, Chapter 2165 to prevent the lease, sale, or any other disposition of the state's real property or an interest in real property located in the Capitol Complex and amends the definition of the Capitol Complex to be based on the Government Code, Section 443.0071. The bill specifies that the ability of the Texas Facilities Commission to lease state buildings and parking garages under Subchapter E is not affected.

The bill would amend the Government Code, Chapter 2267 to permit the Texas Facilities Commission to develop a qualifying project within the Capitol Complex only if specifically granted the authority by the Legislature. The bill would also delay a responsible governmental entity from entering into a comprehensive agreement on public-private partnership proposals or bids until September 1, 2014. The section would expire September 2, 2014.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

Multiple agencies including the Texas Facilities Commission, the Texas Education Agency, the Texas A&M University System, the Department of Public Safety, the Texas Department of Criminal Justice, and the General Land Office indicate no fiscal impact to the state. The Department of State Health Services and the University of Texas System anticipate that any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

**Local Government Impact**

School districts and other local governments considering a formal action on a proposal or bid for certain public-private partnership construction projects would have to delay action until September 1, 2014.

The Texas Association of Counties and the Texas Municipal League reported that no significant fiscal impact to local governments is anticipated.

In certain cases, construction delays could result in significant costs to school districts and other local governments.

**Source Agencies:** 303 Facilities Commission, 305 General Land Office and Veterans' Land Board, 405 Department of Public Safety, 537 State Health Services, Department of, 696 Department of Criminal Justice, 701 Central Education Agency, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration

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