

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

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

**April 10, 2013**

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

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

**IN RE: HB3509** by Bonnen, Dennis (Relating to endangered species habitat conservation.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Parks and Wildlife Code and the Government Code relating to habitat protection and research. Under bill provisions, after a period for public comment, including comment from the Task Force on Economic Growth and Endangered Species (TFOEGES), the Texas Parks and Wildlife Department (TPWD) could apply for a permit from or enter into an agreement with the US Department of Interior (USDO I) or another federal agency in connection with plans for habitat conservation or endangered species. Unless authorized by TPWD, no other state agency outside of higher education could apply for such federal permits, or enter into agreements with the USDO I, as described. If TPWD does grant such authority under bill provisions, such authority must be through an interagency contract.

The bill would establish a new Habitat Protection Research Fund to be held by the Comptroller, outside the treasury, and funded by appropriations, interest earnings, and gifts and grants. TPWD could use the fund or could award grants from the fund for endangered species research.

The bill would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

The bill would remove duties and powers of the Comptroller associated with the development of habitat or candidate conservation plans, or entering into related agreements with the USDO I, effective September 1, 2013. The bill would provide that the TFOEGES would no longer be required to assist in efforts related to endangered species, including mitigation and recovery, and provisions related to advisory committees of the TFOEGES would be repealed.

TPWD indicates any additional work resulting from the passage of the bill could be reasonably absorbed within the department's existing resources. The bill would take effect September 1, 2013.

## **Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 802 Parks and Wildlife Department

**LBB Staff:** UP, AG, TB, LCO, KKR