

**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: SB201** by Birdwell (Relating to the continuation and functions of the State Preservation Board; providing penalties.), **As Engrossed**

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

The bill would amend the Government Code relating to the continuation and operation of the State Preservation Board (Board). The Board is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the Legislature. The bill would continue the Board for twelve years and would take effect on September 1, 2013. The bill would allow certain Board members to designate representatives to participate in the Board's meetings and would require the Board to meet at least two times in each year. The bill would require that a proposal for a construction project in the Capitol complex be consistent with design guidelines or standards adopted as part of a 1989 planning process or the Capitol complex master plan; the Board would be authorized to disapprove a project by a public vote not later than the 60th day after receipt of final designs. The bill would create a Mansion renewal trust fund outside the Treasury for the preservation of the Governor's Mansion which would consist of money transferred at the discretion of the Legislature or donations to the Board. The bill would create possession of a burning tobacco product or smoking tobacco on the Capitol grounds as a Class C misdemeanor offense. The bill would require the Board to conduct a study to evaluate the feasibility of establishing lactation suites in the Capitol complex for breastfeeding mothers.

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

The Board indicates a minimal cost associated with implementation of the bill. It is assumed that any additional costs to the Comptroller of Public Accounts or Department of Public Safety to implement provisions of the bill related to, respectively, creation of the Mansion renewal trust fund or enforcement of the smoking ban on the Capitol grounds could be absorbed within existing resources.

The legislation 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 within or outside 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.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 809 Preservation Board

**LBB Staff:** UP, KJo, EP, LCO