

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 22, 2013

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB211 by Nichols (Relating to the continuation and functions of the Texas Facilities Commission; authorizing fees.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend statute relating to the continuation and operation of the Texas Facilities Commission (TFC). TFC is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the Legislature. The bill would continue TFC for eight years.

The bill would also amend the Government Code to: require the State Preservation Board to conform any modifications to its long-range master plan for the Capitol and Capitol grounds to the Capitol Complex master plan prepared by TFC; require TFC to develop and implement a policy related to negotiated rulemaking and alternative dispute resolution; clarify submission dates and the recipients of various reports; establish review guidelines, procedures, and policies related to public-private partnership (P3) qualifying projects; authorize TFC to charge a fee to cover the costs of reviewing a qualified P3 project; require public hearings on P3 qualified projects; establish procedures for the submission of P3 qualifying projects to the Contract Advisory Team; prohibit TFC employees involved in a P3 process from being employed outside of the agency by an entity related to their agency responsibilities; require TFC to prepare a Capitol Complex master plan; require TFC to submit the Capitol Complex master plan to the State Preservation Board and the General Land Office for review and approval; require TFC to develop a comprehensive planning and development process and a capital improvement and deferred maintenance plan for state property in the agency's inventory; and exempt the Capitol Complex from state-owned properties in which the General Land Office is required to evaluate and make recommendations regarding the possible highest and best use or possible sale.

The Texas Facilities Commission estimates there would be a minimal cost associated with implementing the provisions of the bill; however, the Sunset Advisory Commission, the General Land Office, the Historical Commission, and the State Preservation Board indicate the provisions of the bill could be implemented within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it would take effect on September 1, 2013.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 303 Facilities Commission, 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board, 808 Historical Commission, 809 Preservation Board

LBB Staff: UP, AG, EP, CK