

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

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

**April 15, 2013**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Finance

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

**IN RE:** SB626 by Watson (Relating to fees collected by the Automobile Burglary and Theft Prevention Authority.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB626, As Introduced: a negative impact of (\$48,295,319) 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:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$23,953,659)
2015	(\$24,341,660)
2016	(\$24,734,659)
2017	(\$25,130,660)
2018	(\$25,531,659)

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

Fiscal Year	Probable Revenue Gain/(Loss) from General Revenue Fund 1	Probable Savings/(Cost) from General Revenue Fund 1	Probable Revenue Gain/(Loss) from New General Revenue Dedicated Automobile Theft Prevention Fund	Probable Savings/(Cost) from New General Revenue Dedicated Automobile Theft Prevention Fund
2014	(\$38,858,000)	\$14,904,341	\$38,858,000	(\$14,904,341)
2015	(\$39,246,000)	\$14,904,340	\$39,246,000	(\$14,904,340)
2016	(\$39,639,000)	\$14,904,341	\$39,639,000	(\$14,904,341)
2017	(\$40,035,000)	\$14,904,340	\$40,035,000	(\$14,904,340)
2018	(\$40,436,000)	\$14,904,341	\$40,436,000	(\$14,904,341)

**Fiscal Analysis**

The bill would amend Section 8, Article 4412(37), Revised Statutes, to create the Automobile

Theft Prevention Fund as a General Revenue-Dedicated Account and specifies that money credited to the fund is required to be used only by the Automobile Burglarly and Theft Prevention Authority (ABTPA). The Comptroller would be required to deposit any monetary gift or grant accepted by ABTPA, statutorily required fees for the Help End Auto Theft (H.E.A.T.) program administered by the Department of Public Safety (DPS), and revenue generated by the motor vehicle theft prevention fee to the new fund.

The bill would take effect on September 1, 2013.

### **Methodology**

The motor vehicle theft prevention fee is statutorily set at \$2 per the total number of motor vehicle years of insurance for policies written by each insurance company writing motor vehicle insurance in Texas. Under current statute, revenue from this fee is deposited to the General Revenue Fund and 50 percent of each fee is authorized to be appropriated only to ABTPA. Estimates of revenue generated from the fee are based on the Comptroller of Public Accounts 2014-15 *Biennial Revenue Estimate*. Under the provisions of the bill, all revenue from this fee would be deposited to the new General Revenue-Dedicated account instead of the General Revenue Fund beginning in fiscal year 2014. The General Appropriations Act for the 2012-13 biennium appropriates approximately \$29.8 million from the General Revenue Fund to ABTPA. For the purposes of this analysis it is assumed the same appropriation level would be continued in fiscal years 2014 to 2018 and be appropriated from the new General Revenue-Dedicated account instead of the General Revenue Fund.

Section 9, Article 4412(37), Revised Statutes, requires DPS to adopt fees in an amount sufficient to recover the cost of administering the H.E.A.T. program. However, no such fee revenue is currently collected; therefore, no estimate of revenue from this fee is included in the table above.

This 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 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.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 405 Department of Public Safety

**LBB Staff:** UP, KK, MW, TG, MMe