

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 14, 2013

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture, Rural Affairs & Homeland Security

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1432 by Hinojosa (Relating to the punishment for certain violations of a deer breeder's reporting requirements; providing an administrative penalty.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1432, As Introduced: an impact of \$0 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	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from Game, Fish, Water Safety Act 9	Change in Number of State Employees from FY 2013
2014	(\$185,428)	2.0
2015	(\$170,194)	2.0
2016	(\$170,194)	2.0
2017	(\$170,194)	2.0
2018	(\$170,194)	2.0

Fiscal Analysis

The bill would amend the Parks and Wildlife Code relating to violations of a deer breeder's reporting requirement. Under bill provisions, a deer breeder would incur an administrative penalty for failing to submit a required report in a timely manner. The Texas Parks and Wildlife

Department (TPWD) would first impose non-monetary administrative penalties including corrective action plans, probation and evaluation periods. The bill would provide that each day the violation continues would be a separate violation of up to \$50, for a \$500 cumulative penalty. Under bill provisions, the attorney general may sue to collect the penalty with the venue being in the county in which the breeder lives or works. The Office of the Attorney General anticipates any additional work as a result of this bill can be absorbed with current resources.

TPWD indicates it would need an additional attorney and an administrative assistant to manage the administrative functions associated with the non-monetary penalties, corrective action plans, monetary penalties, and contested proceedings that would result under bill provisions. TPWD indicates bill provisions would result in a loss of citation revenue, although any loss would be offset by a revenue increase in penalties. Neither TPWD nor the Comptroller of Public Accounts could estimate the total fiscal implication of revenue losses and gains under bill provisions; however, this analysis assumes any revenue implication is not likely to be significant.

The bill would take immediate effect if the bill receives two-thirds the vote of the members of both houses. Otherwise, the bill would take effect September 1, 2013.

Methodology

Costs include one additional attorney FTE paid \$86,083, as well as one administrative assistant paid \$44,250 to manage the administrative functions associated with the bill. Related fringe benefits costs for the two FTEs would be \$38,761 each fiscal year. One-time costs for workstations and computers for the new staff would be \$15,234 in fiscal year 2014. Annual operating expenses and supplies for the positions would be \$1,100 each fiscal year.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts,
802 Parks and Wildlife Department

LBB Staff: UP, SZ, ZS, TB