

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 10, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB540 by King, Phil (Relating to the submission to the attorney general of a measure proposing the enactment or repeal of a municipal ordinance.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to require certain municipalities to submit a proposed measure to the Attorney General, before ordering an election to enact a new ordinance or repeal an existing ordinance. The bill would require the Attorney General to determine the constitutionality of the proposed measure and whether the measure's passage requires a governmental taking and inform the municipality of the determinations within 90 days of submission. The bill would prohibit a municipality from holding an election on the proposed measure if the Attorney General determines the measure violates the state or federal constitution or statutes or would cause government taking of private property.

The Office of the Attorney General indicated the costs associated with implementation of the bill could be reasonably absorbed within current resources.

Local Government Impact

According to the Texas Municipal League, the fiscal impact to municipalities to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 302 Office of the Attorney General

LBB Staff: UP, AG, SD, EK, TBo