

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 25, 2015

TO: Honorable Joseph Pickett, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1863 by Paddie (Relating to landscape control along interstate and state highway rights-of-way; imposing a criminal penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Texas Transportation Commission to establish a landscape management program to allow a person to remove or trim seedlings, saplings, trees, and vegetation on the state highway right of way as necessary to provide suitable visibility to adjacent businesses. The bill would require the program to include a process for submitting and approving requests for landscape management and a method by which an applicant may mitigate landscape management by either providing in-kind replacement of any vegetation removed or reimbursing the Texas Department of Transportation (TxDOT) for its value.

Based on the information provided by TxDOT, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

The bill would create a Class C misdemeanor. 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. In addition to the fine, punishment can include up to 180 days of deferred disposition.

Source Agencies: 601 Department of Transportation

LBB Staff: UP, AG, NV, TG, KVe