

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 30, 2015

TO: Honorable Myra Crownover, Chair, House Committee on Public Health

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3066** by Coleman (Relating to the regulation of the sale of dextromethorphan to minors; providing civil penalties.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to prohibit a business establishment from dispensing, distributing or selling dextromethorphan to a customer under the age of 18. The bill would require a business establishment to require a customer obtaining the drug to display a form of identification unless from the customer's outward appearance, the person making the sale could reasonably presume the customer to be 25 years of age or older. The bill would permit a county or district attorney to issue a warning to a business establishment for a violation. Under the provisions of the bill, after receiving a warning for the first violation, a business establishment is liable to the state for a civil penalty of \$150 for the second violation and \$250 for each subsequent violation.

There would be an indeterminate revenue gain to the state depending on the number of violations committed.

The Office of Court Administration reported no significant fiscal impact to the state court system is anticipated.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts

LBB Staff: UP, NB, SD, EK