

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 7, 2015

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3335 by Deshotel (Relating to the regulation of oyster resources.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3335, As Introduced: an impact of \$0 through the biennium ending August 31, 2017.

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
2016	\$0
2017	\$0
2018	\$0
2019	\$0
2020	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Game, Fish, Water Safety Act 9	Change in Number of State Employees from FY 2015
2016	(\$3,729,641)	42.0
2017	(\$3,101,758)	42.0
2018	(\$3,351,718)	42.0
2019	(\$3,357,822)	42.0
2020	(\$3,957,035)	42.0

Fiscal Analysis

The bill would amend several portions of the Parks and Wildlife Code relating to oysters and oyster beds. The bill would amend definitions and clarify ownership status of non-state-owned submerged land and would also amend requirements for locators who operate private oyster beds on public lands of the state. The bill would allow locators to lease private oyster beds on submerged land owned by navigation districts. The bill would amend the requirements of an application for taking oysters, and require the Parks and Wildlife Department (TPWD) to state the cause for a refused permit.

The bill would take effect immediately upon enactment if it were to receive the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2015.

Methodology

The table above reflects the analysis of TPWD which includes the following assumptions: (1) all leases associated with Navigation Districts do not exceed the current 100 acre per least max; (2) associated with Navigation Districts do not exceed the current 100 acre per least max; and (3) the permit issuance rate is equal to 2014 values and an estimate of 3 days to complete 37 Transplant permits (for 5 day transplant season) and 1.5 days to completed 417 Harvest permits is accurate.

Based on information provided by TPWD, implementing the provisions of the bill would require the agency to hire four administrative assistants to process additional transplant and harvest applications at an average cost of \$30,012 in the 2016-17 biennium.

Based on information provided by TPWD, the agency would also be required to hire 38 additional Game Wardens to enforce the provisions of the bill. During the 2016-17 biennium, the Game Warden recruits would matriculate through the academy in two classes, resulting in lower personnel costs during the first two fiscal years. The total operational costs associated with the 38.0 Game Warden FTEs in 2016-17 would be \$5,612,465. TPWD would also require 19 additional patrol boats at a cost of \$50,000 each and additional equipment, for total capital budget costs of \$978,840 in fiscal year 2016.

Local Government Impact

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

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: UP, SZ, MWI