

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 21, 2015**

**TO:** Honorable John Otto, Chair, House Committee on Appropriations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3686** by McClendon (Relating to the dedication of certain fee revenue to automobile burglary and theft prevention and establishing a trust fund for the deposit of that revenue.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3686, As Introduced: a negative impact of (\$41,899,000) through the biennium ending August 31, 2017.

There would be a corresponding gain to Other Funds, in the trust fund for the Automobile Burglary and Theft Prevention Authority.

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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2016	(\$20,845,000)
2017	(\$21,054,000)
2018	(\$21,264,000)
2019	(\$21,477,000)
2020	(\$21,692,000)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Revenue Gain/(Loss) from General Revenue Fund</b>	<b>Probable Revenue Gain/(Loss) from New Trust Fund - Automobile Burglary and Theft Prevention</b>
2016	(\$20,845,000)	\$20,845,000
2017	(\$21,054,000)	\$21,054,000
2018	(\$21,264,000)	\$21,264,000
2019	(\$21,477,000)	\$21,477,000
2020	(\$21,692,000)	\$21,692,000

**Fiscal Analysis**

The bill would amend Article 4413(37), Revised Statutes, regarding the Automobile Burglary and Theft Prevention Authority (ABTPA). The bill would create a trust fund in the State Treasury for the deposit of 50 percent of the ABTPA fee imposed on motor vehicle insurers. Money in the trust fund could be appropriated only for the purposes of this article.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2015.

### **Methodology**

Under current law, 100 percent of ABTPA fee revenue is deposited to General Revenue Fund 0001. However, 50 percent of the ABTPA fee can be appropriated only for the purposes of Article 4413(37), Revised Statutes. Under the provisions of the bill, 50 percent of fee revenue would be deposited to a new trust fund in the Treasury, resulting in a loss to the General Revenue Fund and a corresponding gain to the new trust fund. The amounts in the table above reflect of ABTPA fee revenue provided by the Comptroller's office based on the 2016-17 Biennial Revenue Estimate.

**Note:** This legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either with or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 608 Department of Motor Vehicles

**LBB Staff:** UP, KK, NV, TG