

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 13, 2015

TO: Honorable Larry Phillips, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4061 by White, James (Relating to the regulation of firearms, air guns, ammunition, and firearm and air gun supplies; imposing a civil penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to prohibit a political subdivision or an officer of the political subdivision from adopting or enforcing a local regulation relating to a firearm or ammunition. The bill would permit a person who is adversely affected by a violation of the bill to file suit against a political subdivision. The bill would permit a district court to award a plaintiff certain relief. The bill would create a civil penalty of up to \$5,000 if an officer knowingly and willfully violates or enforces a local regulation. The Attorney General or a district or county attorney may sue to collect the civil penalty.

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

Local Government Impact

The Texas Municipal League reported currently home rule municipalities may have regulations in place that are not authorized under state law but are within the municipality's authority to establish. Costs cannot be determined, but could be incurred due to waiver of immunity.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: UP, ESi, SD, EK, GDz, TBo