

BILL ANALYSIS

C.S.H.B. 3781
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, the state would benefit from a revision of the permissible uses of money in the lifetime license endowment account by the Parks and Wildlife Department. C.S.H.B. 3781 seeks to provide this revision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3781 amends the Parks and Wildlife Code to specify that the authorized uses of interest earned on the lifetime license endowment account are for the purpose of managing the fish and wildlife resources of the state to the extent allowed by federal law and to include as such an authorized use the making of capital expenditures related to fisheries and wildlife resources. The bill restricts the use of money in the lifetime license endowment fund to such purpose and uses. The bill replaces the prohibition against an expenditure being made from the principal of the account except as provided by law with a prohibition against an expenditure being made from such principal if that expenditure would lower the unencumbered balance of the principal of the account below \$20 million. The bill prohibits the interest earnings on and principal in the account from being used to pay salaries or employee benefits. The bill authorizes the interest earnings on the account to be used for any authorized purpose but restricts the use of the principal in the account to the making of capital expenditures related to fisheries and wildlife resources.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3781 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 11.063, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.063. USES OF ACCOUNT. To the extent allowed by federal law, money in the lifetime license endowment fund and interest [~~Interest~~] earned on the lifetime license endowment account may be used only for the purpose of managing the fish and wildlife resources of this state, including [tø]:

- (1) acquiring [~~acquire~~] public hunting and fishing areas; [~~and~~]
- (2) developing, managing, and repairing [~~develop, —manage,—and—repair~~] public hunting and fishing areas; and
- (3) making capital expenditures related to fisheries and wildlife resources, including:
 - (A) land acquisition;
 - (B) construction; and
 - (C) the purchase of:
 - (i) vehicles considered capital purchases under commission rule;
 - (ii) equipment; and
 - (iii) information technology resources.

SECTION 2. Section 11.064, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.064. RESTRICTIONS. No expenditure [~~expenditures~~] shall be made from the principal of the lifetime license endowment account if that expenditure would lower the unencumbered balance of the principal of the account below \$20 million [~~except as provided by law~~].

SECTION 3. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 11.063, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.063. USES OF ACCOUNT. To the extent allowed by federal law, money in the lifetime license endowment fund and interest [~~Interest~~] earned on the lifetime license endowment account may be used only for the purpose of managing the fish and wildlife resources of this state, as follows [tø]:

- (1) acquiring [~~acquire~~] public hunting and fishing areas; [~~and~~]
- (2) developing, managing, and repairing [~~develop, —manage,—and—repair~~] public hunting and fishing areas; and
- (3) making capital expenditures related to fisheries and wildlife resources, including:
 - (A) land acquisition;
 - (B) construction; and
 - (C) the purchase of:
 - (i) transportation items;
 - (ii) equipment; and
 - (iii) information technology resources.

SECTION 2. Section 11.064, Parks and Wildlife Code, is amended to read as follows:

Sec. 11.064. RESTRICTIONS. (a) No expenditure [~~expenditures~~] shall be made from the principal of the lifetime license endowment account if that expenditure would lower the unencumbered balance of the principal of the account below \$20 million [~~except as provided by law~~].

(b) The interest earnings on and principal in the lifetime license endowment account may not be used to pay salaries or employee benefits.

(c) The interest earnings on the lifetime license endowment account may be used for any purpose described by Section 11.063.

(d) The principal in the lifetime license endowment account may be used only for the purpose described by Section 11.063(3).

SECTION 3. Same as introduced version.