

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 25, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB295 by Walle (Relating to the adoption of noise regulations by certain counties; providing a criminal penalty; authorizing a fee.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to authorize counties with a population of over 3.3 million to regulate noise and sound levels in unincorporated areas. It exempts certain manufacturing activities from these regulations. It allows for a county to authorize the holding of events exceeding regulated sound levels through a permitting process. It provides for the county to sue in district court for an injunction to prohibit violations and establishes violations of these regulations as a misdemeanor offense.

According to the Office of the Attorney General, there will be no fiscal impact to the agency as a result of the passage of the bill.

According to the Comptroller, the fiscal impact on the state cannot be estimated.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If it does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller, the fiscal impact on units of local government cannot be estimated.

According to Harris County, the bill would provide the county with an undetermined yet minimal fiscal impact in that it allows for the authorization fee for noise permits.

A Class C misdemeanor is punishable by a fine of not more than \$500; in addition to this fine, punishment can include up to 180 days of deferred disposition. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gains from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: UP, GP, JGA, GG, JSm, KVe

