

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 4, 2017

TO: Honorable Roland Gutierrez, Chair, House Committee on Defense & Veterans' Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1105 by Miller (Relating to granting certain municipalities authority to adopt development regulations around certain military facilities; creating a criminal offense.),
As Introduced

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to permit certain governing bodies of a municipality and county to create an air base area development board. The governing bodies of the local governments may prohibit or restrict development in certain areas based on recommendations issued in a resolution adopted by the joint airport zoning board. The recommendations of the joint airport board must be developed and adopted in accordance with the most recent Air Installation Compatible Use Zone Study, Joint Land Use Study, and other available military planning data and studies. An individual aggrieved by the regulations adopted under the chapter may petition the governing bodies for an exception to the regulations. The bill would create an offense of a fine of \$500 to \$1,000 for an individual who violates an ordinance, order, or development regulation adopted under the chapter. Each day a violation occurs constitutes a separate offense.

The bill would take effect September 1, 2017.

Local Government Impact

There could be costs to eligible local governmental entities that chose to establish a joint airport zoning board. However, it is assumed that the local entities would establish joint airport zoning boards only if sufficient funds were available or it would not result in a negative fiscal impact; therefore, no significant fiscal impact is anticipated.

An offense under the provisions of the bill is a misdemeanor, punishable by a fine of not less than \$500 and not more than \$1000. Each day a violation occurs constitutes a separate offense. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: UP, LBO, GG, BM, JGA