

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION  
Revision 1

April 28, 2017

**TO:** Honorable Gary Elkins, Chair, House Committee on Government Transparency & Operation

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

**IN RE:** **HB1190** by Bell (Relating to the sunset review of the Texas Underground Facility Notification Corporation.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1190, As Introduced: an impact of \$0 through the biennium ending August 31, 2019.

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:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2018        | \$0  |
| 2019        | \$0  |
| 2020        | \$0  |
| 2021        | \$0  |
| 2022        | \$0  |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from Appropriated Receipts 666 | Probable Revenue Gain from Appropriated Receipts 666 | Change in Number of State Employees from FY 2017 |
|-------------|--|--|--|
| 2018        | (\$95,758)                                     | \$95,758   | 2.0  |
| 2019        | (\$10,562)                                     | \$10,562   | 2.0  |
| 2020        | \$0  | \$0  | 0.0  |
| 2021        | \$0  | \$0  | 0.0  |
| 2022        | \$0  | \$0  | 0.0  |

**Fiscal Analysis**

The bill would amend the Utilities Code to require the Underground Facility Notification Corporation (Corporation) to be subject to a one-time Sunset review, but not abolishment, as if the Corporation were to be scheduled to be abolished September 1, 2019. The bill would establish requirements for the review and would require the Corporation to reimburse the Sunset Advisory Commission (SAC) for the cost of performing the review. The bill would prohibit the Corporation from being required to conduct a management audit under 30 T.A.C. Chapter 292.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2017. The bill would expire September 1, 2019.

**Methodology**

Based on information provided by the Sunset Advisory Commission (SAC), it is assumed that total costs to conduct a Sunset review of the Corporation would include \$95,758 in 2018 and \$10,562 in fiscal year 2019. This amount would provide for 2 staff members to conduct a ten month review and includes salaries, benefits, travel, and administrative costs. According to the SAC, 90 percent of the time to conduct the review would occur in fiscal year 2018 and 10 percent in fiscal year 2019. In addition, it is assumed that all travel costs of \$700 would occur during fiscal year 2018.

This analysis assumes the SAC would be reimbursed for performing reviews in accordance with the provisions of the bill. Costs and savings as well as the revenue gains and losses from payments to the SAC as a reimbursement for the review are reflected as Appropriated Receipts in the table above.

The analysis also assumes the review of the Corporation is in addition to the Commission's body of work assigned, and would result in the need for additional staff to conduct these reviews, including 2.0 FTEs for the 2018-19 biennium.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 455 Railroad Commission  
**LBB Staff:** UP, LBO, MW, SD