

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1290** by Roberts (Relating to the required repeal of a state agency rule and a government growth impact statement before adoption of a new state agency rule.),
Conference Committee Report

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Government Code to restrict a state agency from adopting a proposed rule for which the fiscal note for the notice of the proposed rule states that the rule imposes a cost on any regulated person, including another state agency, a special district and a local government, unless on or before the effective date of the proposed rule the state agency repeals a rule that would decrease total costs on the person in an amount equal to or greater than the cost imposed by the proposed rule, or the agency amends a rule which would decrease the total costs on the person in an amount equal to or greater than the costs from the proposed rule.

The bill would apply the restriction to a "state agency" that is a department, board, commission, committee, council, agency, office, or other entity in the executive, legislative, or judicial branch of state government. "State agency" would not include an agency under the authority of an elected officer of the state. The restriction would not apply to certain rules specified in the bill.

The bill would amend Chapter 2001, Government Code, to require a state agency to prepare a government growth impact statement for a proposed rule. The bill would specify information to be included in the impact statements. The bill would require the Comptroller of Public Accounts to adopt rules relating to the impact statements not later than October 1, 2017. A state agency would be required to incorporate the impact statement into the notice of the proposed rule required under Section 2001.024. The government growth impact statements would only be required on proposed rules for which the notice required under Section 2001.0221, Government Code is filed on or after November 1, 2017.

The bill would take effect on September 1, 2017.

This analysis assumes that costs to implement the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 307 Secretary of State, 360 State Office of Administrative Hearings, 405 Department of Public Safety, 451 Department of Banking, 452 Department of Licensing and Regulation, 458 Alcoholic Beverage Commission, 503 Texas Medical Board, 537 State Health Services, Department of, 551 Department of Agriculture, 582 Commission on Environmental Quality, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 781 Higher Education Coordinating Board

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