

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 19, 2017**

**TO:** Honorable John Frullo, Chair, House Committee on Culture, Recreation & Tourism

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

**IN RE: HB1359** by White (relating to monuments and memorials for Texas heroes and other persons and events of historical significance; creating criminal offenses.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1359, Committee Report 1st House, Substituted: a negative impact of (\$761,594) 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:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2018	(\$506,017)
2019	(\$255,577)
2020	(\$422,184)
2021	(\$401,484)
2022	(\$401,484)

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund</b>	<b>Change in Number of State Employees from FY 2017</b>
	<b>1</b>	
2018	(\$506,017)	4.0
2019	(\$255,577)	4.0
2020	(\$422,184)	6.0
2021	(\$401,484)	6.0
2022	(\$401,484)	6.0

## **Fiscal Analysis**

The bill would amend the Government Code and Local Government Code relating to monuments and memorials for Texas heroes and other persons and events of historical significance; creating criminal offenses. The bill would transfer the responsibility of maintaining certain monuments and memorials from the Facilities Commission (TFC) to the Historical Commission (THC). The bill would require THC to oversee maintenance for markers on state owned property and, if a suitable contract can be made for permanent preservation of the monument or memorial, on private property or property owned by the federal government, another U.S. state, or a foreign country. The bill would also require THC to approve new monuments and memorials before they are erected, including the form, dimensions, substance of, and inscriptions or illustrations. The bill would further require THC or the State Preservation Board to approve the alternation, removal, or relocation of a monument or memorial.

## **Methodology**

Based on information provided by THC, this analysis assumes the agency would require \$761,594 and 4.0 additional FTEs in the 2018-19 biennium to implement the provisions of the bill.

THC assumes additional staff would be necessary to evaluate the monuments and memorials, oversee their restoration and preservation, evaluate requests for their removal or movement, evaluate requests for new monuments, and assist local governments in complying with the bill. This analysis assumes the 4.0 additional FTEs in the 2018-19 biennium would include one Program Specialist IV (\$45,158 annual salary), one Historian III (\$42,244 annual salary), one Program Specialist II (\$39,521 annual salary), and one Administrative Assistant II (\$26,332 annual salary). This analysis further assumes ongoing annual costs associated with the 4.0 FTEs would include \$56,122 for benefits and \$46,200 for travel, training, supplies, phones, and other operating expenses.

This analysis assumes additional one-time costs of \$250,440 would be necessary in fiscal year 2018 to develop a monument and memorial database and survey all of the required resources under THC's jurisdiction.

Dependent upon the number of markers and monuments requiring restoration that are transferred to THC under the bill, THC assumes there could be a significant, indeterminate cost to the State for marker and monument maintenance and preservation. THC is unable to estimate the full cost at this time due to insufficient information regarding the current condition of all such markers. However, THC does assume related restoration work would begin in fiscal year 2020 and would require an additional 2.0 FTEs to successfully manage construction contracts. This analysis assumes the additional staff would include one Architect II (\$55,184 annual salary) and one Project Manager II (\$51,614 annual salary). This analysis also assumes additional annual costs associated with the 2.0 FTEs would include \$39,109 for benefits and \$20,480 for travel and other operating costs. Additionally, this analysis assumes the agency would require an additional \$220 in fiscal year 2020 only to acquire additional software licenses for use by the 2.0 new FTEs.

## **Technology**

This analysis assumes the monument and memorial tracking requirements under the bill could be implemented using Microsoft Office Suite of products, such as Microsoft Access, SQL and reporting mechanisms.

## **Local Government Impact**

An offense under the provisions of the bill is punishable by a fine in an amount not less than \$50 and not to exceed \$1000, and confinement in jail for a term not less than three days and not to exceed one year. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

**Source Agencies:** 303 Facilities Commission, 696 Department of Criminal Justice, 781 Higher Education Coordinating Board, 808 Historical Commission, 809 Preservation Board

**LBB Staff:** UP, SZ, WP, ASa, RC