

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 10, 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 penalties for unauthorized removal, relocation, or alteration of a monument or memorial; creating a criminal offense.), **As Introduced**

Dependent upon the number of markers and monuments requiring restoration that are transferred to the Historical Commission under the bill, there could be a significant, indeterminate cost to the State.

The bill would amend the Government Code, Code of Criminal Procedure, Education Code, and Election Code relating to monuments and memorials for Texas heroes and penalties for unauthorized removal, relocation, or alteration of a monument or memorial; creating a criminal offense.

The bill would require the Historical Commission (THC) to maintain memorials erected by the State to celebrate the centennial of Texas Independence. THC states that there are approximately 1,000 granite markers located in 254 Texas counties as well as other structures related to this event. Under the bill, THC would anticipate costs associated with assessing the condition of monuments and markers. As the current condition of these memorials is unknown, this assessment could identify an indeterminate number of markers and monuments requiring restoration at a potentially significant cost to the State.

The Department of Criminal Justice, Higher Education Coordinating Board, and Preservation Board assume any additional work associated with implementing the provisions of the bill could be absorbed using existing resources.

The bill would take effect September 1, 2017.

#### 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, NV, ASa, JSm, JGA