

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 6, 2017

TO: Honorable Dennis Bonnen, Chair, House Committee on Ways & Means

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1449** by Simmons (relating to prohibiting local governments from imposing certain fees on new construction.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to prohibit a political subdivision from imposing, directly or indirectly, a fee or other charge on new construction for the purposes of offsetting the cost or rent of any unit of residential housing. Establishes that fees for granting an exemption or waiver to zoning-related height restrictions are not covered by this prohibition. Exempts residential density bonus programs in which a zoning waiver is issued for a voluntary fee payment or the voluntary provision of affordable housing or other defined public benefit. Nullifies existing charter provisions, ordinances, orders, or other regulations in conflict with this bill. The provisions of the bill do not apply to agreements entered into before the effective date of the bill.

According to the Department of Housing and Community Affairs and the Department of Licensing and Regulation, no fiscal implication to the state is anticipated.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Department of Housing and Community Affairs and the Department of Licensing and Regulation, no fiscal implication to local government is anticipated.

According to the Texas Municipal League, no fiscal implication to municipalities is anticipated.

Source Agencies: 332 Department of Housing and Community Affairs, 452 Department of Licensing and Regulation

LBB Staff: UP, KK, GG, GP, EK