

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 22, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1654** by Oliverson (Relating to the offense of failure to comply with an order from a fire marshal and the authority of certain county employees to issue citations for certain violations.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow a commissioners court to grant the authority to a county employee to issue citations if the employee is certified by the Texas Commission on Fire Protection, conducts fire or life safety inspections, and is not a peace officer.

The employee may issue citation for an offense in the unincorporated area of the county if the offense results in property damage of \$200 or more, bodily injury or death, or a violation of an order relating to fire or life safety that is reasonably necessary to protect public safety and welfare.

The bill would go into effect September 1, 2017.

Local Government Impact

According to the Texas Association of Counties (TAC), the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, or both. 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.

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact. In addition to the fine, punishment can include up to 180 days of deferred disposition.

Source Agencies: 411 Commission on Fire Protection

LBB Staff: UP, JGA, GG, BM